
THE VIRGINIA REGISTER INFORMATION PAGE

THE VIRGINIA REGISTER is an official state publication issued every other week throughout the year. Indexes are published quarterly, and the last index of the year is cumulative. **THE VIRGINIA REGISTER** has several functions. The new and amended sections of regulations, both as proposed and as finally adopted, are required by law to be published in **THE VIRGINIA REGISTER OF REGULATIONS**. In addition, **THE VIRGINIA REGISTER** is a source of other information about state government, including all emergency regulations and executive orders issued by the Governor, the Virginia Tax Bulletin issued periodically by the Department of Taxation, and notices of public hearings and open meetings of state agencies.

ADOPTION, AMENDMENT, AND REPEAL OF REGULATIONS

An agency wishing to adopt, amend, or repeal regulations must first publish in the *Virginia Register* a notice of intended regulatory action; a basis, purpose, substance and issues statement; an economic impact analysis prepared by the Department of Planning and Budget; the agency's response to the economic impact analysis; a summary; a notice giving the public an opportunity to comment on the proposal; and the text of the proposed regulation.

Following publication of the proposal in the *Virginia Register*, the promulgating agency receives public comments for a minimum of 60 days. The Governor reviews the proposed regulation to determine if it is necessary to protect the public health, safety and welfare, and if it is clearly written and easily understandable. If the Governor chooses to comment on the proposed regulation, his comments must be transmitted to the agency and the Registrar no later than 15 days following the completion of the 60-day public comment period. The Governor's comments, if any, will be published in the *Virginia Register*. Not less than 15 days following the completion of the 60-day public comment period, the agency may adopt the proposed regulation.

The appropriate standing committee of each branch of the General Assembly may meet during the promulgation or final adoption process and file an objection with the Registrar and the promulgating agency. The objection will be published in the *Virginia Register*. Within 21 days after receipt by the agency of a legislative objection, the agency shall file a response with the Registrar, the objecting legislative committee, and the Governor.

When final action is taken, the agency again publishes the text of the regulation as adopted, highlighting all changes made to the proposed regulation and explaining any substantial changes made since publication of the proposal. A 30-day final adoption period begins upon final publication in the *Virginia Register*.

The Governor may review the final regulation during this time and, if he objects, forward his objection to the Registrar and the agency. In addition to or in lieu of filing a formal objection, the Governor may suspend the effective date of a portion or all of a regulation until the end of the next regular General Assembly session by issuing a directive signed by a majority of the members of the appropriate standing committees and the Governor. The Governor's objection or suspension of the regulation, or both, will be published in the *Virginia Register*. If the Governor finds that changes made to the proposed regulation have substantial impact, he may require the agency to provide an additional 30-day public comment period on the changes. Notice of the additional public comment period required by the Governor will be published in the *Virginia Register*.

The agency shall suspend the regulatory process for 30 days when it receives requests from 25 or more individuals to solicit additional public comment, unless the agency determines that the changes have minor or inconsequential impact.

A regulation becomes effective at the conclusion of the 30-day final adoption period, or at any other later date specified by the promulgating agency, unless (i) a legislative objection has been filed, in which event the regulation, unless withdrawn, becomes effective on the date specified, which shall be after the expiration of the 21-day extension period; (ii) the Governor exercises his authority to require

the agency to provide for additional public comment, in which event the regulation, unless withdrawn, becomes effective on the date specified, which shall be after the expiration of the period for which the Governor has provided for additional public comment; (iii) the Governor and the General Assembly exercise their authority to suspend the effective date of a regulation until the end of the next regular legislative session; or (iv) the agency suspends the regulatory process, in which event the regulation, unless withdrawn, becomes effective on the date specified, which shall be after the expiration of the 30-day public comment period.

Proposed regulatory action may be withdrawn by the promulgating agency at any time before the regulation becomes final.

EMERGENCY REGULATIONS

If an agency demonstrates that (i) there is an immediate threat to the public's health or safety; or (ii) Virginia statutory law, the appropriation act, federal law, or federal regulation requires a regulation to take effect no later than (a) 280 days from the enactment in the case of Virginia or federal law or the appropriation act, or (b) 280 days from the effective date of a federal regulation, it then requests the Governor's approval to adopt an emergency regulation. The emergency regulation becomes operative upon its adoption and filing with the Registrar of Regulations, unless a later date is specified. Emergency regulations are limited to addressing specifically defined situations and may not exceed 12 months in duration. Emergency regulations are published as soon as possible in the *Register*.

During the time the emergency status is in effect, the agency may proceed with the adoption of permanent regulations through the usual procedures. To begin promulgating the replacement regulation, the agency must (i) file the Notice of Intended Regulatory Action with the Registrar within 60 days of the effective date of the emergency regulation; and (ii) file the proposed regulation with the Registrar within 180 days of the effective date of the emergency regulation. If the agency chooses not to adopt the regulations, the emergency status ends when the prescribed time limit expires.

STATEMENT

The foregoing constitutes a generalized statement of the procedures to be followed. For specific statutory language, it is suggested that Article 2 (§ 9-6.14:7.1 et seq.) of Chapter 1.1:1 of the Code of Virginia be examined carefully.

CITATION TO THE VIRGINIA REGISTER

The *Virginia Register* is cited by volume, issue, page number, and date. **12:8 VA.R. 1096-1106 January 8, 1996**, refers to Volume 12, Issue 8, pages 1096 through 1106 of the *Virginia Register* issued on January 8, 1996.

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Members of the Virginia Code Commission: **Jay W. DeBoer**, Chairman; **Robert L. Calhoun**; **Bernard S. Cohen**; **Frank S. Ferguson**; **J. Randy Forbes**; **James E. Kulp**; **E.M. Miller, Jr.**; **James B. Wilkinson**.

Staff of the Virginia Register: **Jane D. Chaffin**, Registrar of Regulations.

PUBLICATION SCHEDULE AND DEADLINES

This schedule is available on the *Register's* Internet home page (<http://legis.state.va.us/codecomm/register/regindex.htm>).

March 2000 through December 2000

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2 VAC 15-20-70	Amended	16:9 VA.R. 1150	1/1/00
2 VAC 15-20-80	Amended	15:26 VA.R. 3445	8/17/99
2 VAC 15-20-80	Repealed	16:9 VA.R. 1150	1/1/00
2 VAC 15-20-81	Added	16:9 VA.R. 1150	1/1/00
Title 4. Conservation and Natural Resources			
4 VAC 20-252-60	Amended	16:10 VA.R. 1222	1/1/00
4 VAC 20-252-85	Amended	16:10 VA.R. 1222	1/1/00
4 VAC 20-252-90	Amended	16:10 VA.R. 1222	1/1/00
4 VAC 20-252-100	Amended	16:10 VA.R. 1223	1/1/00
4 VAC 20-252-110	Amended	16:10 VA.R. 1223	1/1/00
4 VAC 20-252-140	Amended	16:10 VA.R. 1223	1/1/00
4 VAC 20-270-50	Amended	16:7 VA.R. 804	1/1/00
4 VAC 20-333-10 through 4 VAC 20-333-40	Added	15:24 VA.R. 3035-3037	7/6/99
4 VAC 20-561-10 through 4 VAC 20-561-30 emer	Added	16:12 VA.R. 1710	2/2/00-2/22/00
4 VAC 20-595-10 emer	Added	15:25 VA.R. 3366	8/15/99-8/31/99
4 VAC 20-595-20 emer	Added	15:25 VA.R. 3366	8/15/99-8/31/99
4 VAC 20-620-30	Amended	16:5 VA.R. 580	11/1/99
4 VAC 20-620-40	Amended	16:5 VA.R. 580	11/1/99
4 VAC 20-700-20	Amended	16:7 VA.R. 804	1/1/00
4 VAC 20-720-20	Amended	16:3 VA.R. 292	10/1/99
4 VAC 20-720-20	Amended	16:12 VA.R. 1671	2/4/00
4 VAC 20-720-35	Added	16:3 VA.R. 292	10/1/99
4 VAC 20-720-40	Amended	16:3 VA.R. 292	10/1/99
4 VAC 20-720-40	Amended	16:12 VA.R. 1671	2/4/00
4 VAC 20-720-50	Amended	16:3 VA.R. 293	10/1/99
4 VAC 20-720-50	Amended	16:12 VA.R. 1672	2/4/00
4 VAC 20-720-60	Amended	16:3 VA.R. 293	10/1/99
4 VAC 20-720-60	Amended	16:12 VA.R. 1672	2/4/00
4 VAC 20-720-70	Amended	16:3 VA.R. 294	10/1/99
4 VAC 20-720-70	Amended	16:12 VA.R. 1673	2/4/00
4 VAC 20-720-80	Amended	16:3 VA.R. 294	10/1/99
4 VAC 20-720-80	Amended	16:12 VA.R. 1673	2/4/00
4 VAC 20-720-105	Repealed	16:3 VA.R. 294	10/1/99
4 VAC 20-890-10	Amended	16:7 VA.R. 804	1/1/00
4 VAC 20-890-25	Added	16:7 VA.R. 805	1/1/00
4 VAC 20-890-25	Amended	16:12 VA.R. 1674	2/2/00
4 VAC 20-890-35	Amended	16:7 VA.R. 805	1/1/00
4 VAC 20-891-10 through 4 VAC 20-891-30 emer	Added	16:10 VA.R. 1268	1/1/00-1/31/00
4 VAC 25-40 (Forms)	Amended	16:10 VA.R. 1335	--
4 VAC 25-130 (Forms)	Amended	16:10 VA.R. 1335	--
4 VAC 25-150 (Forms)	Amended	16:10 VA.R. 1335	--
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6 VAC 20-170-10 et seq.	Repealed	16:8 VA.R. 945	2/2/00
6 VAC 20-171-10 through 6 VAC 20-171-560	Added	16:8 VA.R. 945-974	2/2/00

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7 VAC 10-20-10	Amended	15:25 VA.R. 3348	9/29/99
7 VAC 10-20-30	Amended	15:25 VA.R. 3350	9/29/99
7 VAC 10-20-50	Amended	15:25 VA.R. 3350	9/29/99
Title 8. Education			
8 VAC 20-50-10 et seq.	Repealed	16:10 VA.R. 1223	7/1/00
Title 9. Environment			
9 VAC 5-80-1400 through 9 VAC 5-80-1590	Added	16:7 VA.R. 806-819	2/1/00
9 VAC 25-151 (Forms)	Amended	15:24 VA.R. 3251	--
9 VAC 25-210 (Forms)	Amended	16:12 VA.R. 1711-1714	--
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11 VAC 10-130-10	Amended	15:26 VA.R. 3449	8/25/99
11 VAC 10-130-20	Amended	15:26 VA.R. 3449	8/25/99
11 VAC 10-130-40	Amended	15:26 VA.R. 3451	8/25/99
11 VAC 10-130-51	Amended	15:26 VA.R. 3451	8/25/99
11 VAC 10-130-60	Amended	15:26 VA.R. 3452	8/25/99
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11 VAC 10-130-77	Amended	15:26 VA.R. 3452	8/25/99
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12 VAC 5-65-10 et seq. emer	Amended	16:10 VA.R. 1268-1275	1/3/00-1/2/01
12 VAC 5-220-10 emer	Amended	16:10 VA.R. 1276	1/3/00-1/2/01
12 VAC 5-220-90 emer	Amended	16:10 VA.R. 1280	1/3/00-1/2/01
12 VAC 5-220-105 emer	Amended	16:10 VA.R. 1280	1/3/00-1/2/01
12 VAC 5-220-150 emer	Repealed	16:10 VA.R. 1280	1/3/00-1/2/01
12 VAC 5-220-160 emer	Amended	16:10 VA.R. 1281	1/3/00-1/2/01
12 VAC 5-220-180 emer	Amended	16:10 VA.R. 1281	1/3/00-1/2/01
12 VAC 5-220-200 emer	Amended	16:10 VA.R. 1282	1/3/00-1/2/01
12 VAC 5-220-230 emer	Amended	16:10 VA.R. 1284	1/3/00-1/2/01
12 VAC 5-220-270 emer	Amended	16:10 VA.R. 1286	1/3/00-1/2/01
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12 VAC 5-220-470 emer	Amended	16:10 VA.R. 1289	1/3/00-1/2/01
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12 VAC 5-230-20 emer	Amended	16:10 VA.R. 1290	1/3/00-1/2/01
12 VAC 5-240-10 emer	Amended	16:10 VA.R. 1290	1/3/00-1/2/01
12 VAC 5-240-20 emer	Amended	16:10 VA.R. 1291	1/3/00-1/2/01
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12 VAC 5-250-30 emer	Amended	16:10 VA.R. 1293	1/3/00-1/2/01
12 VAC 5-260-30 emer	Amended	16:10 VA.R. 1293	1/3/00-1/2/01
12 VAC 5-260-40 emer	Amended	16:10 VA.R. 1293	1/3/00-1/2/01
12 VAC 5-260-80 emer	Amended	16:10 VA.R. 1294	1/3/00-1/2/01
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12 VAC 5-320-150 emer	Amended	16:10 VA.R. 1298	1/3/00-1/2/01
12 VAC 5-320-430 emer	Amended	16:10 VA.R. 1298	1/3/00-1/2/01

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12 VAC 5-340-30 emer	Amended	16:10 VA.R. 1298	1/3/00-1/2/01
12 VAC 5-360-30 emer	Amended	16:10 VA.R. 1298	1/3/00-1/2/01
12 VAC 5-360-40 emer	Amended	16:10 VA.R. 1299	1/3/00-1/2/01
12 VAC 5-371-40 emer	Amended	16:7 VA.R. 896	12/31/99-12/30/00
12 VAC 5-408-10 through 12 VAC 5-408-370	Added	16:7 VA.R. 819-837	1/20/00
12 VAC 5-408-70	Erratum	16:9 VA.R. 1174	--
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12 VAC 5-408-360	Erratum	16:9 VA.R. 1174	--
12 VAC 5-408-370	Erratum	16:9 VA.R. 1174	--
12 VAC 5-410-70 emer	Amended	16:7 VA.R. 897	12/31/99-12/30/00
12 VAC 5-610-10*	Repealed	15:24 VA.R. 3188	*
12 VAC 5-610-20*	Amended	15:24 VA.R. 3188	*
12 VAC 5-610-30*	Amended	15:24 VA.R. 3188	*
12 VAC 5-610-40*	Amended	15:24 VA.R. 3188	*
12 VAC 5-610-50*	Amended	15:24 VA.R. 3188	*
12 VAC 5-610-70*	Amended	15:24 VA.R. 3189	*
12 VAC 5-610-75*	Added	15:24 VA.R. 3190	*
12 VAC 5-610-80*	Amended	15:24 VA.R. 3190	*
12 VAC 5-610-90*	Repealed	15:24 VA.R. 3190	*
12 VAC 5-610-100*	Amended	15:24 VA.R. 3190	*
12 VAC 5-610-110*	Repealed	15:24 VA.R. 3190	*
12 VAC 5-610-120*	Amended	15:24 VA.R. 3190	*
12 VAC 5-610-130*	Amended	15:24 VA.R. 3192	*
12 VAC 5-610-140*	Repealed	15:24 VA.R. 3192	*
12 VAC 5-610-150*	Repealed	15:24 VA.R. 3192	*
12 VAC 5-610-170*	Amended	15:24 VA.R. 3192	*
12 VAC 5-610-180*	Repealed	15:24 VA.R. 3193	*
12 VAC 5-610-190*	Amended	15:24 VA.R. 3193	*
12 VAC 5-610-200*	Amended	15:24 VA.R. 3194	*
12 VAC 5-610-230*	Amended	15:24 VA.R. 3195	*
12 VAC 5-610-250*	Amended	15:24 VA.R. 3195	*
12 VAC 5-610-255*	Added	15:24 VA.R. 3198	*
12 VAC 5-610-260*	Amended	15:24 VA.R. 3198	*
12 VAC 5-610-270*	Amended	15:24 VA.R. 3198	*
12 VAC 5-610-280*	Amended	15:24 VA.R. 3198	*
12 VAC 5-610-290*	Amended	15:24 VA.R. 3199	*
12 VAC 5-610-300*	Amended	15:24 VA.R. 3199	*
12 VAC 5-610-330*	Amended	15:24 VA.R. 3199	*
12 VAC 5-610-340*	Amended	15:24 VA.R. 3199	*
12 VAC 5-610-360*	Amended	15:24 VA.R. 3200	*
12 VAC 5-610-370*	Repealed	15:24 VA.R. 3200	*
12 VAC 5-610-380*	Amended	15:24 VA.R. 3201	*
12 VAC 5-610-430*	Amended	15:24 VA.R. 3202	*
12 VAC 5-610-440*	Amended	15:24 VA.R. 3202	*
12 VAC 5-610-441 through 12 VAC 5-610-449*	Added	15:24 VA.R. 3202-3210	*
12 VAC 5-610-449.1*	Added	15:24 VA.R. 3211	*
12 VAC 5-610-450*	Amended	15:24 VA.R. 3212	*
12 VAC 5-610-470*	Amended	15:24 VA.R. 3212	*
12 VAC 5-610-480*	Amended	15:24 VA.R. 3214	*
12 VAC 5-610-490*	Amended	15:24 VA.R. 3214	*
12 VAC 5-610-500*	Amended	15:24 VA.R. 3215	*
12 VAC 5-610-510 through 12 VAC 5-610-550*	Repealed	15:24 VA.R. 3215-3216	*
12 VAC 5-610-560*	Amended	15:24 VA.R. 3216	*

* The regulatory process was suspended on this section in 16:2 VA.R. 202, and the final effective date is pending until further action by the board.

Cumulative Table of VAC Sections Adopted, Amended, or Repealed

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
12 VAC 5-610-570*	Repealed	15:24 VA.R. 3216	*
12 VAC 5-610-580*	Amended	15:24 VA.R. 3217	*
12 VAC 5-610-591 through 12 VAC 5-610-594*	Added	15:24 VA.R. 3217-3218	*
12 VAC 5-610-596 through 12 VAC 5-610-599*	Added	15:24 VA.R. 3218-3222	*
12 VAC 5-610-599.1 through 12 VAC 5-610-599.4*	Added	15:24 VA.R. 3222-3223	*
12 VAC 5-610-620*	Amended	15:24 VA.R. 3223	*
12 VAC 5-610-650*	Amended	15:24 VA.R. 3223	*
12 VAC 5-610-670*	Amended	15:24 VA.R. 3223	*
12 VAC 5-610-690*	Amended	15:24 VA.R. 3223	*
12 VAC 5-610-700*	Amended	15:24 VA.R. 3224	*
12 VAC 5-610-800*	Amended	15:24 VA.R. 3226	*
12 VAC 5-610-810*	Amended	15:24 VA.R. 3226	*
12 VAC 5-610-815*	Added	15:24 VA.R. 3226	*
12 VAC 5-610-817*	Added	15:24 VA.R. 3227	*
12 VAC 5-610-820*	Amended	15:24 VA.R. 3227	*
12 VAC 5-610-830*	Repealed	15:24 VA.R. 3227	*
12 VAC 5-610-840*	Repealed	15:24 VA.R. 3227	*
12 VAC 5-610-880*	Amended	15:24 VA.R. 3227	*
12 VAC 5-610-890*	Amended	15:24 VA.R. 3229	*
12 VAC 5-610-930*	Amended	15:24 VA.R. 3229	*
12 VAC 5-610-940*	Amended	15:24 VA.R. 3232	*
12 VAC 5-610-950*	Amended	15:24 VA.R. 3233	*
12 VAC 5-610-960*	Amended	15:24 VA.R. 3235	*
12 VAC 5-610-965*	Added	15:24 VA.R. 3236	*
12 VAC 5-610-980*	Amended	15:24 VA.R. 3237	*
12 VAC 5-610-1080*	Amended	15:24 VA.R. 3238	*
12 VAC 5-610-1140*	Amended	15:24 VA.R. 3240	*
12 VAC 5-610-1150*	Repealed	15:24 VA.R. 3240	*
12 VAC 5-615-10 through 12 VAC 5-615-420 emer	Added	16:10 VA.R. 1301-1313	1/3/00-1/2/01
12 VAC 30-10-150 emer	Amended	16:10 VA.R. 1315	1/1/00-12/31/00
12 VAC 30-10-441	Added	15:26 VA.R. 3454	10/13/99
12 VAC 30-10-490	Amended	15:26 VA.R. 3454	10/13/99
12 VAC 30-10-680	Amended	15:26 VA.R. 3454	10/13/99
12 VAC 30-50-30 emer	Amended	16:10 VA.R. 1315	1/1/00-12/31/00
12 VAC 30-50-70 emer	Amended	16:10 VA.R. 1316	1/1/00-12/31/00
12 VAC 30-50-100	Amended	15:24 VA.R. 3243	9/15/99
12 VAC 30-50-105	Amended	15:24 VA.R. 3245	9/15/99
12 VAC 30-50-130 emer	Amended	16:10 VA.R. 1316	1/1/00-12/31/00
12 VAC 30-50-140	Amended	15:24 VA.R. 3247	9/15/99
12 VAC 30-50-160	Amended	16:2 VA.R. 202	11/10/99
12 VAC 30-50-210	Amended	16:2 VA.R. 205	11/10/99
12 VAC 30-50-220	Amended	15:25 VA.R. 3362	10/1/99
12 VAC 30-50-229.1 emer	Amended	16:10 VA.R. 1322	1/12/00-1/11/01
12 VAC 30-50-250 emer	Amended	16:10 VA.R. 1317	1/1/00-12/31/00
12 VAC 30-50-270	Amended	16:6 VA.R. 706	1/5/00
12 VAC 30-50-480 emer	Amended	16:10 VA.R. 1326	1/1/00-12/31/00
12 VAC 30-60-130	Amended	16:6 VA.R. 707	1/5/00
12 VAC 30-60-170 emer	Amended	16:10 VA.R. 1328	1/1/00-12/31/00
12 VAC 30-80-21 emer	Added	16:10 VA.R. 1317	1/1/00-12/31/00
12 VAC 30-80-30	Amended	16:2 VA.R. 207	11/10/99
12 VAC 30-80-30	Amended	16:6 VA.R. 710	1/5/00
12 VAC 30-80-40	Amended	16:2 VA.R. 208	11/10/99
12 VAC 30-80-111 emer	Added	16:10 VA.R. 1329	1/1/00-12/31/00

* The regulatory process was suspended on this section in 16:2 VA.R. 202, and the final effective date is pending until further action by the board.

Cumulative Table of VAC Sections Adopted, Amended, or Repealed

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
12 VAC 30-129-100 through 12 VAC 30-129-150 emer	Added	16:10 VA.R. 1329-1334	1/1/00-12/31/00
12 VAC 30-130-270 through 12 VAC 30-130-530	Repealed	16:6 VA.R. 711-715	1/5/00
12 VAC 30-130-850 through 12 VAC 30-130-890 emer	Added	16:10 VA.R. 1317-1320	1/1/00-12/31/00
12 VAC 30-140-10 through 12 VAC 30-140-570	Added	15:26 VA.R. 3456-3465	10/13/99
12 VAC 30-140-370	Amended	16:4 VA.R. 404	12/8/99
12 VAC 30-140-380	Amended	16:4 VA.R. 404	12/8/99
12 VAC 35-30-10 et seq.	Repealed	16:10 VA.R. 1233	7/1/00
Title 13. Housing			
13 VAC 5-175-10 through 13 VAC 5-175-40	Added	16:4 VA.R. 405-406	10/20/99
13 VAC 10-180-40	Amended	16:11 VA.R. 1448	1/24/00
13 VAC 10-180-50	Amended	16:11 VA.R. 1448	1/24/00
13 VAC 10-180-60	Amended	16:11 VA.R. 1450	1/24/00
13 VAC 10-180-70	Amended	16:11 VA.R. 1458	1/24/00
Title 14. Insurance			
14 VAC 5-215-10 through 14 VAC 5-215-130	Added	16:11 VA.R. 1461-1470	2/15/00
14 VAC 5-270-30	Amended	16:5 VA.R. 582	1/1/00
14 VAC 5-270-40	Amended	16:5 VA.R. 582	1/1/00
14 VAC 5-270-60	Amended	16:5 VA.R. 582	1/1/00
14 VAC 5-270-70	Amended	16:5 VA.R. 583	1/1/00
14 VAC 5-270-80	Amended	16:5 VA.R. 583	1/1/00
14 VAC 5-270-160	Repealed	16:5 VA.R. 584	1/1/00
14 VAC 5-319-10 through 14 VAC 5-319-80	Added	16:5 VA.R. 585-599	1/1/00
14 VAC 5-350 (Forms)	Amended	16:8 VA.R. 976	--
14 VAC 5-350 (Forms)	Amended	16:11 VA.R. 1475-1480	--
14 VAC 5-395-20	Amended	16:4 VA.R. 407	10/20/99
14 VAC 5-395-25	Added	16:4 VA.R. 407	10/20/99
14 VAC 5-395-60	Amended	16:4 VA.R. 407	10/20/99
Title 16. Labor and Employment			
16 VAC 25-120-1917.1	Amended	16:7 VA.R. 843	1/20/00
16 VAC 25-130-1918.1	Amended	16:7 VA.R. 843	1/20/00
16 VAC 30-11-10 through 16 VAC 30-11-30	Added	16:10 VA.R. 1224	3/1/00
Title 18. Professional and Occupational Licensing			
18 VAC 5-20-10 emer	Amended	16:3 VA.R. 319	10/4/99-10/3/00
18 VAC 5-20-11 emer	Added	16:3 VA.R. 321	10/4/99-10/3/00
18 VAC 5-20-20 emer	Amended	16:3 VA.R. 322	10/4/99-10/3/00
18 VAC 5-20-30 emer	Repealed	16:3 VA.R. 324	10/4/99-10/3/00
18 VAC 5-20-40 emer	Repealed	16:3 VA.R. 324	10/4/99-10/3/00
18 VAC 5-20-41 emer	Added	16:3 VA.R. 324	10/4/99-10/3/00
18 VAC 5-20-50 emer	Repealed	16:3 VA.R. 325	10/4/99-10/3/00
18 VAC 5-20-60 emer	Repealed	16:3 VA.R. 325	10/4/99-10/3/00
18 VAC 5-20-70 emer	Repealed	16:3 VA.R. 326	10/4/99-10/3/00
18 VAC 5-20-80 emer	Repealed	16:3 VA.R. 326	10/4/99-10/3/00
18 VAC 5-20-81 emer	Added	16:3 VA.R. 326	10/4/99-10/3/00
18 VAC 5-20-90 emer	Repealed	16:3 VA.R. 326	10/4/99-10/3/00
18 VAC 5-20-91 emer	Added	16:3 VA.R. 327	10/4/99-10/3/00
18 VAC 5-20-100 emer	Amended	16:3 VA.R. 328	10/4/99-10/3/00
18 VAC 5-20-110 emer	Amended	16:3 VA.R. 329	10/4/99-10/3/00
18 VAC 5-20-111 emer	Added	16:3 VA.R. 330	10/4/99-10/3/00
18 VAC 5-20-112 emer	Added	16:3 VA.R. 330	10/4/99-10/3/00
18 VAC 5-20-120 through 18 VAC 5-20-440 emer	Repealed	16:3 VA.R. 330-333	10/4/99-10/3/00
18 VAC 5-20-441 emer	Added	16:3 VA.R. 333	10/4/99-10/3/00
18 VAC 5-20-442 emer	Added	16:3 VA.R. 334	10/4/99-10/3/00
18 VAC 5-20-443 emer	Added	16:3 VA.R. 334	10/4/99-10/3/00
18 VAC 5-20-444 emer	Added	16:3 VA.R. 336	10/4/99-10/3/00
18 VAC 5-20-445 emer	Added	16:3 VA.R. 336	10/4/99-10/3/00
18 VAC 5-20-450 emer	Repealed	16:3 VA.R. 336	10/4/99-10/3/00

Cumulative Table of VAC Sections Adopted, Amended, or Repealed

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
18 VAC 5-20-451 emer	Added	16:3 VA.R. 336	10/4/99-10/3/00
18 VAC 5-20-460 through 500 emer	Repealed	16:3 VA.R. 337-339	10/4/99-10/3/00
18 VAC 10-20-10	Amended	16:3 VA.R. 298	12/1/99
18 VAC 10-20-20	Amended	16:3 VA.R. 299	12/1/99
18 VAC 10-20-35	Added	16:3 VA.R. 299	12/1/99
18 VAC 10-20-90	Amended	15:24 VA.R. 3248	10/1/99
18 VAC 10-20-110	Amended	16:3 VA.R. 299	12/1/99
18 VAC 10-20-120	Amended	16:3 VA.R. 300	12/1/99
18 VAC 10-20-140	Amended	16:3 VA.R. 300	12/1/99
18 VAC 10-20-150	Amended	16:3 VA.R. 301	12/1/99
18 VAC 10-20-160	Amended	16:3 VA.R. 303	12/1/99
18 VAC 10-20-170	Amended	15:24 VA.R. 3248	10/1/99
18 VAC 10-20-170	Amended	16:3 VA.R. 303	12/1/99
18 VAC 10-20-190	Amended	16:3 VA.R. 303	12/1/99
18 VAC 10-20-200	Amended	16:3 VA.R. 304	12/1/99
18 VAC 10-20-210	Amended	16:3 VA.R. 304	12/1/99
18 VAC 10-20-215	Added	16:3 VA.R. 305	12/1/99
18 VAC 10-20-230	Amended	16:3 VA.R. 305	12/1/99
18 VAC 10-20-250	Amended	16:3 VA.R. 305	12/1/99
18 VAC 10-20-260	Amended	16:3 VA.R. 306	12/1/99
18 VAC 10-20-270	Amended	16:3 VA.R. 306	12/1/99
18 VAC 10-20-280	Amended	15:24 VA.R. 3249	10/1/99
18 VAC 10-20-280	Amended	16:3 VA.R. 306	12/1/99
18 VAC 10-20-300	Amended	16:3 VA.R. 306	12/1/99
18 VAC 10-20-310	Amended	16:3 VA.R. 307	12/1/99
18 VAC 10-20-320	Amended	16:3 VA.R. 307	12/1/99
18 VAC 10-20-330	Amended	16:3 VA.R. 307	12/1/99
18 VAC 10-20-350	Amended	16:3 VA.R. 307	12/1/99
18 VAC 10-20-360	Amended	16:3 VA.R. 308	12/1/99
18 VAC 10-20-400	Amended	15:24 VA.R. 3249	10/1/99
18 VAC 10-20-440	Amended	16:3 VA.R. 308	12/1/99
18 VAC 10-20-450	Amended	16:3 VA.R. 308	12/1/99
18 VAC 10-20-470	Amended	15:24 VA.R. 3249	10/1/99
18 VAC 10-20-490	Amended	16:3 VA.R. 309	12/1/99
18 VAC 10-20-500	Repealed	16:3 VA.R. 309	12/1/99
18 VAC 10-20-520	Amended	15:24 VA.R. 3249	10/1/99
18 VAC 10-20-530	Amended	16:3 VA.R. 309	12/1/99
18 VAC 10-20-560	Amended	16:3 VA.R. 310	12/1/99
18 VAC 10-20-570	Amended	16:3 VA.R. 310	12/1/99
18 VAC 10-20-580	Amended	15:24 VA.R. 3249	10/1/99
18 VAC 10-20-590	Amended	16:3 VA.R. 310	12/1/99
18 VAC 10-20-630	Amended	15:24 VA.R. 3249	10/1/99
18 VAC 10-20-640	Amended	16:3 VA.R. 311	12/1/99
18 VAC 10-20-680	Amended	16:3 VA.R. 311	12/1/99
18 VAC 10-20-730	Amended	16:3 VA.R. 311	12/1/99
18 VAC 10-20-740	Amended	16:3 VA.R. 311	12/1/99
18 VAC 10-20-760	Amended	16:3 VA.R. 312	12/1/99
18 VAC 10-20-780	Amended	16:3 VA.R. 313	12/1/99
18 VAC 10-20-790	Amended	16:3 VA.R. 313	12/1/99
18 VAC 10-20-795	Added	16:3 VA.R. 314	12/1/99
18 VAC 15-20-50	Amended	16:11 VA.R. 1471	5/1/00
18 VAC 15-20-960	Amended	16:11 VA.R. 1471	5/1/00
18 VAC 15-30-160	Amended	16:11 VA.R. 1472	5/1/00
18 VAC 15-30-830	Amended	16:11 VA.R. 1472	5/1/00
18 VAC 25-21-70	Amended	15:26 VA.R. 3468	11/1/99
18 VAC 47-10-10 through 18 VAC 47-10-90	Added	16:12 VA.R. 1675-1676	3/29/00

Cumulative Table of VAC Sections Adopted, Amended, or Repealed

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
18 VAC 47-20-10 through 18 VAC 47-20-240	Added	16:13 VA.R. 1776-1782	4/12/00
18 VAC 55-22-310	Amended	15:26 VA.R. 3476	11/1/99
18 VAC 55-22 (Forms)	Amended	16:5 VA.R. 600	--
18 VAC 60-20-20	Amended	16:7 VA.R. 846	1/19/00
18 VAC 60-20-30	Amended	16:7 VA.R. 846	1/19/00
18 VAC 65-20-70	Amended	16:7 VA.R. 851	1/19/00
18 VAC 65-20-120	Amended	16:7 VA.R. 851	1/19/00
18 VAC 65-20-130	Amended	16:7 VA.R. 851	1/19/00
18 VAC 65-20-435	Added	16:7 VA.R. 851	1/19/00
18 VAC 85-20-22	Amended	16:4 VA.R. 407	12/8/99
18 VAC 85-20-22	Amended	16:13 VA.R. 1766	4/12/00
18 VAC 85-20-230	Amended	16:4 VA.R. 408	12/8/99
18 VAC 85-20-235	Added	16:4 VA.R. 408	12/8/99
18 VAC 85-20-236	Added	16:4 VA.R. 408	12/8/99
18 VAC 85-20-240	Amended	16:4 VA.R. 409	12/8/99
18 VAC 85-20-240	Erratum	16:8 VA.R. 997	--
18 VAC 85-20-240	Amended	16:13 VA.R. 1767	4/12/00
18 VAC 85-20-280	Added	16:7 VA.R. 854	1/19/00
18 VAC 85-20-290	Added	16:7 VA.R. 854	1/19/00
18 VAC 85-20-300	Added	16:7 VA.R. 855	1/19/00
18 VAC 85-31-10	Amended	16:13 VA.R. 1772	4/13/00
18 VAC 85-31-25	Added	16:13 VA.R. 1773	4/13/00
18 VAC 85-31-40	Amended	16:13 VA.R. 1773	4/13/00
18 VAC 85-31-50	Amended	16:13 VA.R. 1773	4/13/00
18 VAC 85-31-60	Amended	16:13 VA.R. 1774	4/13/00
18 VAC 85-31-65	Added	16:13 VA.R. 1774	4/13/00
18 VAC 85-31-80	Amended	16:13 VA.R. 1774	4/13/00
18 VAC 85-31-90	Amended	16:13 VA.R. 1774	4/13/00
18 VAC 85-31-100	Amended	16:13 VA.R. 1774	4/13/00
18 VAC 85-31-120	Amended	16:13 VA.R. 1775	4/13/00
18 VAC 85-31-130	Amended	16:13 VA.R. 1775	4/13/00
18 VAC 85-31-135	Added	16:13 VA.R. 1775	4/13/00
18 VAC 85-31-140	Amended	16:13 VA.R. 1775	4/13/00
18 VAC 85-31-160	Amended	16:13 VA.R. 1768	4/12/00
18 VAC 85-40-10	Amended	16:7 VA.R. 860	1/19/00
18 VAC 85-40-25	Added	16:7 VA.R. 860	1/19/00
18 VAC 85-40-40	Amended	16:7 VA.R. 860	1/19/00
18 VAC 85-40-45	Added	16:7 VA.R. 860	1/19/00
18 VAC 85-40-50	Amended	16:7 VA.R. 860	1/19/00
18 VAC 85-40-60	Amended	16:7 VA.R. 861	1/19/00
18 VAC 85-40-65	Added	16:7 VA.R. 861	1/19/00
18 VAC 85-40-80	Amended	16:7 VA.R. 861	1/19/00
18 VAC 85-40-80	Amended	16:13 VA.R. 1769	4/12/00
18 VAC 85-50-170	Amended	16:13 VA.R. 1770	4/12/00
18 VAC 85-80-10	Amended	16:7 VA.R. 868	1/19/00
18 VAC 85-80-20	Amended	16:7 VA.R. 868	1/19/00
18 VAC 85-80-25	Added	16:7 VA.R. 868	1/19/00
18 VAC 85-80-35	Added	16:7 VA.R. 868	1/19/00
18 VAC 85-80-40	Amended	16:7 VA.R. 868	1/19/00
18 VAC 85-80-50	Amended	16:7 VA.R. 869	1/19/00
18 VAC 85-80-60	Amended	16:7 VA.R. 869	1/19/00
18 VAC 85-80-70	Amended	16:7 VA.R. 869	1/19/00
18 VAC 85-80-80	Amended	16:7 VA.R. 869	1/19/00
18 VAC 85-80-120	Amended	16:13 VA.R. 1770	4/12/00
18 VAC 85-101-10	Amended	16:4 VA.R. 410	12/8/99
18 VAC 85-101-40	Amended	16:4 VA.R. 410	12/8/99

Cumulative Table of VAC Sections Adopted, Amended, or Repealed

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
18 VAC 85-101-50	Amended	16:4 VA.R. 410	12/8/99
18 VAC 85-101-60	Amended	16:4 VA.R. 411	12/8/99
18 VAC 85-101-70	Amended	16:4 VA.R. 411	12/8/99
18 VAC 85-101-130	Amended	16:4 VA.R. 411	12/8/99
18 VAC 85-101-160	Amended	16:4 VA.R. 412	12/8/99
18 VAC 85-101-160	Amended	16:13 VA.R. 1771	4/12/00
18 VAC 85-110-35	Amended	16:13 VA.R. 1771	4/12/00
18 VAC 90-20-30	Amended	16:13 VA.R. 1782	4/12/00
18 VAC 90-20-190	Amended	16:13 VA.R. 1782	4/12/00
18 VAC 90-20-230	Amended	16:13 VA.R. 1783	4/12/00
18 VAC 90-20-300	Amended	16:3 VA.R. 315	11/24/99
18 VAC 90-20-350	Amended	16:13 VA.R. 1783	4/12/00
18 VAC 90-20-420	Added	16:3 VA.R. 315	11/24/99
18 VAC 90-20-430	Added	16:3 VA.R. 315	11/24/99
18 VAC 90-20-440	Added	16:3 VA.R. 316	11/24/99
18 VAC 90-20-450	Added	16:3 VA.R. 316	11/24/99
18 VAC 90-20-460	Added	16:3 VA.R. 317	11/24/99
18 VAC 100-20-10	Amended	15:26 VA.R. 3479	11/1/99
18 VAC 100-20-40	Amended	15:26 VA.R. 3479	11/1/99
18 VAC 100-20-50	Amended	15:26 VA.R. 3479	11/1/99
18 VAC 100-20-60	Amended	15:26 VA.R. 3479	11/1/99
18 VAC 100-20-70	Amended	15:26 VA.R. 3479	11/1/99
18 VAC 110-20-10	Amended	15:26 VA.R. 3482	10/13/99
18 VAC 110-20-135	Added	15:26 VA.R. 3484	10/13/99
18 VAC 110-20-140	Amended	15:26 VA.R. 3484	10/13/99
18 VAC 110-20-690	Added	15:26 VA.R. 3485	10/13/99
18 VAC 110-20-700	Added	15:26 VA.R. 3485	10/13/99
18 VAC 110-20-710	Added	15:26 VA.R. 3485	10/13/99
18 VAC 110-20-720	Added	15:26 VA.R. 3486	10/13/99
18 VAC 110-40-10 through 18 VAC 110-40-70 emer	Added	16:11 VA.R. 1473-1474	1/20/00-1/19/01
18 VAC 115-20-10	Amended	16:13 VA.R. 1786	4/12/00
18 VAC 115-20-20	Amended	16:13 VA.R. 1785	4/12/00
18 VAC 115-20-30	Repealed	16:13 VA.R. 1787	4/12/00
18 VAC 115-20-35	Added	16:13 VA.R. 1787	4/12/00
18 VAC 115-20-40	Amended	16:13 VA.R. 1787	4/12/00
18 VAC 115-20-45	Added	16:13 VA.R. 1787	4/12/00
18 VAC 115-20-49	Added	16:13 VA.R. 1788	4/12/00
18 VAC 115-20-50	Amended	16:13 VA.R. 1788	4/12/00
18 VAC 115-20-51	Added	16:13 VA.R. 1788	4/12/00
18 VAC 115-20-52	Added	16:13 VA.R. 1788	4/12/00
18 VAC 115-20-60	Repealed	16:13 VA.R. 1790	4/12/00
18 VAC 115-20-70	Amended	16:13 VA.R. 1790	4/12/00
18 VAC 115-20-80	Repealed	16:13 VA.R. 1791	4/12/00
18 VAC 115-20-100	Amended	16:13 VA.R. 1785	4/12/00
18 VAC 115-20-110	Amended	16:13 VA.R. 1785	4/12/00
18 VAC 115-20-130	Amended	16:13 VA.R. 1791	4/12/00
18 VAC 115-20-140	Amended	16:13 VA.R. 1792	4/12/00
18 VAC 115-20-150	Amended	16:13 VA.R. 1785	4/12/00
18 VAC 115-30-10	Amended	16:7 VA.R. 876	1/19/00
18 VAC 115-30-20	Repealed	16:7 VA.R. 877	1/19/00
18 VAC 115-30-30	Amended	16:7 VA.R. 877	1/19/00
18 VAC 115-30-30	Amended	16:13 VA.R. 1793	4/12/00
18 VAC 115-30-40	Amended	16:7 VA.R. 877	1/19/00
18 VAC 115-30-40	Amended	16:13 VA.R. 1793	4/12/00
18 VAC 115-30-45	Added	16:7 VA.R. 877	1/19/00
18 VAC 115-30-60	Amended	16:7 VA.R. 878	1/19/00

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SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
18 VAC 115-30-70	Amended	16:7 VA.R. 879	1/19/00
18 VAC 115-30-80	Repealed	16:7 VA.R. 879	1/19/00
18 VAC 115-30-90	Amended	16:7 VA.R. 879	1/19/00
18 VAC 115-30-100	Repealed	16:7 VA.R. 879	1/19/00
18 VAC 115-30-110	Amended	16:7 VA.R. 879	1/19/00
18 VAC 115-30-110	Amended	16:13 VA.R. 1793	4/12/00
18 VAC 115-30-120	Amended	16:7 VA.R. 879	1/19/00
18 VAC 115-30-120	Amended	16:13 VA.R. 1793	4/12/00
18 VAC 115-30-130	Repealed	16:7 VA.R. 879	1/19/00
18 VAC 115-30-140	Amended	16:7 VA.R. 879	1/19/00
18 VAC 115-30-150	Amended	16:7 VA.R. 880	1/19/00
18 VAC 115-30-160	Amended	16:7 VA.R. 880	1/19/00
18 VAC 115-30-160	Amended	16:13 VA.R. 1794	4/12/00
18 VAC 115-40-20	Amended	16:13 VA.R. 1794	4/12/00
18 VAC 115-40-35	Amended	16:13 VA.R. 1794	4/12/00
18 VAC 115-40-61	Added	16:13 VA.R. 1794	4/12/00
18 VAC 115-50-10	Amended	16:7 VA.R. 886	1/19/00
18 VAC 115-50-20	Amended	16:13 VA.R. 1795	4/12/00
18 VAC 115-50-30	Amended	16:7 VA.R. 886	1/19/00
18 VAC 115-50-30	Amended	16:13 VA.R. 1795	4/12/00
18 VAC 115-50-40	Amended	16:7 VA.R. 887	1/19/00
18 VAC 115-50-40	Amended	16:13 VA.R. 1796	4/12/00
18 VAC 115-50-50	Amended	16:7 VA.R. 887	1/19/00
18 VAC 115-50-55	Added	16:7 VA.R. 887	1/19/00
18 VAC 115-50-60	Amended	16:7 VA.R. 888	1/19/00
18 VAC 115-50-70	Amended	16:7 VA.R. 889	1/19/00
18 VAC 115-50-80	Repealed	16:7 VA.R. 889	1/19/00
18 VAC 115-50-90	Amended	16:7 VA.R. 889	1/19/00
18 VAC 115-50-90	Amended	16:13 VA.R. 1796	4/12/00
18 VAC 115-50-100	Amended	16:13 VA.R. 1796	4/12/00
18 VAC 115-50-130	Added	16:13 VA.R. 1796	4/12/00
18 VAC 115-60-10 through 18 VAC 115-60-150	Added	16:7 VA.R. 890-895	1/19/00
18 VAC 120-30-100	Amended	15:26 VA.R. 3487	11/1/99
18 VAC 125-20-10	Amended	16:2 VA.R. 210	11/10/99
18 VAC 125-20-30	Amended	16:2 VA.R. 210	11/10/99
18 VAC 125-20-30	Amended	16:13 VA.R. 1797	4/12/00
18 VAC 125-20-40	Amended	16:2 VA.R. 210	11/10/99
18 VAC 125-20-41	Added	16:2 VA.R. 211	11/10/99
18 VAC 125-20-42	Added	16:2 VA.R. 211	11/10/99
18 VAC 125-20-50	Repealed	16:2 VA.R. 212	11/10/99
18 VAC 125-20-51	Repealed	16:2 VA.R. 212	11/10/99
18 VAC 125-20-52	Repealed	16:2 VA.R. 212	11/10/99
18 VAC 125-20-53	Repealed	16:2 VA.R. 213	11/10/99
18 VAC 125-20-54	Added	16:2 VA.R. 214	11/10/99
18 VAC 125-20-55	Added	16:2 VA.R. 214	11/10/99
18 VAC 125-20-56	Added	16:2 VA.R. 215	11/10/99
18 VAC 125-20-60	Repealed	16:2 VA.R. 216	11/10/99
18 VAC 125-20-65	Added	16:2 VA.R. 216	11/10/99
18 VAC 125-20-70	Repealed	16:2 VA.R. 216	11/10/99
18 VAC 125-20-80	Amended	16:2 VA.R. 217	11/10/99
18 VAC 125-20-90	Repealed	16:2 VA.R. 217	11/10/99
18 VAC 125-20-100	Repealed	16:2 VA.R. 217	11/10/99
18 VAC 125-20-120	Amended	16:2 VA.R. 218	11/10/99
18 VAC 125-20-130	Amended	16:2 VA.R. 218	11/10/99
18 VAC 125-20-130	Amended	16:13 VA.R. 1797	4/12/00
18 VAC 125-20-140	Repealed	16:2 VA.R. 218	11/10/99

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SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
18 VAC 125-20-150	Amended	16:2 VA.R. 218	11/10/99
18 VAC 125-20-150	Erratum	16:4 VA.R. 444	--
18 VAC 125-20-160	Amended	16:2 VA.R. 219	11/10/99
18 VAC 125-20-170	Amended	16:2 VA.R. 219	11/10/99
18 VAC 125-20-170	Amended	16:13 VA.R. 1797	4/12/00
18 VAC 160-20-40	Amended	15:24 VA.R. 3490	11/1/99
Title 19. Public Safety			
19 VAC 30-20-80	Amended	16:9 VA.R. 1150	3/15/00
19 VAC 30-20-150	Amended	16:9 VA.R. 1150	3/15/00
19 VAC 30-70 Appendix A	Amended	15:25 VA.R. 3364	7/29/99
19 VAC 30-165-10 emer	Added	16:3 VA.R. 339	9/24/99-9/23/00
19 VAC 30-165-20 emer	Added	16:3 VA.R. 340	9/24/99-9/23/00
19 VAC 30-165-30 emer	Added	16:3 VA.R. 340	9/24/99-9/23/00
19 VAC 30-165-40 emer	Added	16:3 VA.R. 340	9/24/99-9/23/00
19 VAC 30-165-50 emer	Added	16:3 VA.R. 340	9/24/99-9/23/00
19 VAC 30-165-60 emer	Added	16:3 VA.R. 340	9/24/99-9/23/00
Title 20. Public Utilities and Telecommunications			
20 VAC 5-400-200	Added	16:10 VA.R. 1226	1/12/00
Title 22. Social Services			
22 VAC 30-40-10 through 22 VAC 30-40-150	Added	16:10 VA.R. 1227-1233	3/1/00
22 VAC 40-50-10 et seq.	Repealed	15:24 VA.R. 3250	9/15/99
22 VAC 40-60-10 through 22 VAC 40-60-60	Amended	16:12 VA.R. 1676-1679	7/1/00
22 VAC 40-60-70	Repealed	16:12 VA.R. 1679	7/1/00
22 VAC 40-60-80	Amended	16:12 VA.R. 1679	7/1/00
22 VAC 40-60-90	Amended	16:12 VA.R. 1679	7/1/00
22 VAC 40-60-100	Repealed	16:12 VA.R. 1680	7/1/00
22 VAC 40-60-110 through 22 VAC 40-60-150	Amended	16:12 VA.R. 1680	7/1/00
22 VAC 40-60-180	Amended	16:12 VA.R. 1680	7/1/00
22 VAC 40-60-190	Amended	16:12 VA.R. 1680	7/1/00
22 VAC 40-60-200	Amended	16:12 VA.R. 1681	7/1/00
22 VAC 40-60-210	Repealed	16:12 VA.R. 1681	7/1/00
22 VAC 40-60-220	Repealed	16:12 VA.R. 1681	7/1/00
22 VAC 40-60-230	Repealed	16:12 VA.R. 1681	7/1/00
22 VAC 40-60-235	Added	16:12 VA.R. 1681	7/1/00
22 VAC 40-60-240	Repealed	16:12 VA.R. 1682	7/1/00
22 VAC 40-60-250	Repealed	16:12 VA.R. 1682	7/1/00
22 VAC 40-60-260	Amended	16:12 VA.R. 1683	7/1/00
22 VAC 40-60-270	Amended	16:12 VA.R. 1683	7/1/00
22 VAC 40-60-280	Amended	16:12 VA.R. 1683	7/1/00
22 VAC 40-60-290	Repealed	16:12 VA.R. 1683	7/1/00
22 VAC 40-60-300	Amended	16:12 VA.R. 1683	7/1/00
22 VAC 40-60-310	Repealed	16:12 VA.R. 1683	7/1/00
22 VAC 40-60-320	Amended	16:12 VA.R. 1684	7/1/00
22 VAC 40-60-330	Amended	16:12 VA.R. 1684	7/1/00
22 VAC 40-60-340	Amended	16:12 VA.R. 1684	7/1/00
22 VAC 40-60-350	Repealed	16:12 VA.R. 1685	7/1/00
22 VAC 40-60-360	Repealed	16:12 VA.R. 1685	7/1/00
22 VAC 40-60-370 through 22 VAC 40-60-420	Amended	16:12 VA.R. 1685	7/1/00
22 VAC 40-60-425	Added	16:12 VA.R. 1686	7/1/00
22 VAC 40-60-430 through 22 VAC 40-60-470	Amended	16:12 VA.R. 1686-1687	7/1/00
22 VAC 40-60-480	Repealed	16:12 VA.R. 1687	7/1/00
22 VAC 40-60-490	Amended	16:12 VA.R. 1687	7/1/00
22 VAC 40-60-510	Amended	16:12 VA.R. 1688	7/1/00
22 VAC 40-60-520	Amended	16:12 VA.R. 1688	7/1/00
22 VAC 40-60-530	Repealed	16:12 VA.R. 1688	7/1/00
22 VAC 40-60-540	Repealed	16:12 VA.R. 1688	7/1/00

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SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
22 VAC 40-60-550	Amended	16:12 VA.R. 1688	7/1/00
22 VAC 40-60-554	Added	16:12 VA.R. 1689	7/1/00
22 VAC 40-60-556	Added	16:12 VA.R. 1689	7/1/00
22 VAC 40-60-560	Amended	16:12 VA.R. 1689	7/1/00
22 VAC 40-60-564	Added	16:12 VA.R. 1689	7/1/00
22 VAC 40-60-570 through 22 VAC 40-60-610	Amended	16:12 VA.R. 1689-1691	7/1/00
22 VAC 40-60-620 through 22 VAC 40-60-650	Repealed	16:12 VA.R. 1691-1692	7/1/00
22 VAC 40-60-670	Repealed	16:12 VA.R. 1692	7/1/00
22 VAC 40-60-680	Amended	16:12 VA.R. 1692	7/1/00
22 VAC 40-60-690	Amended	16:12 VA.R. 1692	7/1/00
22 VAC 40-60-691	Added	16:12 VA.R. 1692	7/1/00
22 VAC 40-60-692	Added	16:12 VA.R. 1692	7/1/00
22 VAC 40-60-694	Added	16:12 VA.R. 1693	7/1/00
22 VAC 40-60-695	Added	16:12 VA.R. 1693	7/1/00
22 VAC 40-60-697	Added	16:12 VA.R. 1693	7/1/00
22 VAC 40-60-698	Added	16:12 VA.R. 1693	7/1/00
22 VAC 40-60-699	Added	16:12 VA.R. 1695	7/1/00
22 VAC 40-60-700	Amended	16:12 VA.R. 1696	7/1/00
22 VAC 40-60-705	Added	16:12 VA.R. 1696	7/1/00
22 VAC 40-60-710 through 22 VAC 40-60-760	Repealed	16:12 VA.R. 1697	7/1/00
22 VAC 40-60-770	Amended	16:12 VA.R. 1697	7/1/00
22 VAC 40-60-780	Amended	16:12 VA.R. 1697	7/1/00
22 VAC 40-60-790	Repealed	16:12 VA.R. 1697	7/1/00
22 VAC 40-60-800	Amended	16:12 VA.R. 1697	7/1/00
22 VAC 40-60-810 through 22 VAC 40-60-840	Repealed	16:12 VA.R. 1697-1698	7/1/00
22 VAC 40-60-850	Amended	16:12 VA.R. 1698	7/1/00
22 VAC 40-60-860	Amended	16:12 VA.R. 1698	7/1/00
22 VAC 40-60-870	Repealed	16:12 VA.R. 1698	7/1/00
22 VAC 40-60-880	Amended	16:12 VA.R. 1698	7/1/00
22 VAC 40-60-885	Added	16:12 VA.R. 1699	7/1/00
22 VAC 40-60-890 through 22 VAC 40-60-950	Repealed	16:12 VA.R. 1699	7/1/00
22 VAC 40-60-960	Amended	16:12 VA.R. 1699	7/1/00
22 VAC 40-60-970	Repealed	16:12 VA.R. 1700	7/1/00
22 VAC 40-60-980	Amended	16:12 VA.R. 1700	7/1/00
22 VAC 40-60-990	Repealed	16:12 VA.R. 1700	7/1/00
22 VAC 40-60-1000	Repealed	16:12 VA.R. 1700	7/1/00
22 VAC 40-60-1010	Amended	16:12 VA.R. 1700	7/1/00
22 VAC 40-60-1020	Amended	16:12 VA.R. 1700	7/1/00
22 VAC 40-60-1030 through 22 VAC 40-60-1060	Repealed	16:12 VA.R. 1701-1702	7/1/00
22 VAC 40-150-10 et seq.	Repealed	16:10 VA.R. 1233	7/1/00
22 VAC 40-705-10	Amended	16:12 VA.R. 1705	3/29/00
22 VAC 40-705-40	Amended	16:12 VA.R. 1707	3/29/00
22 VAC 40-710-10 et seq.	Repealed	16:4 VA.R. 412	12/8/99
22 VAC 40-820-10 et seq.	Repealed	16:5 VA.R. 599	12/22/99
22 VAC 40-880-350	Amended	16:4 VA.R. 413	12/8/99
22 VAC 42-10-10 through 22 VAC 42-10-1000	Added	16:10 VA.R. 1234-1267	7/1/00
Title 24. Transportation and Motor Vehicles			
24 VAC 30-130-10	Amended	16:2 VA.R. 229	9/13/99

NOTICES OF INTENDED REGULATORY ACTION

Symbol Key

† Indicates entries since last publication of the *Virginia Register*

TITLE 6. CRIMINAL JUSTICE AND CORRECTIONS

BOARD OF JUVENILE JUSTICE

† Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Board of Juvenile Justice intends to consider amending regulations entitled: **6 VAC 35-20-10 et seq. Regulations Governing the Certification Process.**

The proposed revisions address the following issues:

1. The revised regulation will continue to specify the process by which the board will certify facilities and programs; however, the revised regulation will give the department greater flexibility to determine appropriate internal procedures and to assign personnel who will be responsible for scheduling certification audits, appointing audit teams, reviewing appeals, considering requests for variances and plans of action, and other administrative processes. In addition, the revisions will authorize the department to monitor certain programs on the basis of random sampling in cases that might not warrant the more intense scrutiny of individual certification.
2. The revised regulation outlines the certification actions the board may take when a program meets or fails to meet stated criteria.
3. The revised regulation introduces the concept of "systemic deficiency," which is used in the interdepartmental program to regulate residential facilities for children. When the number and pattern of discrete standards violations suggest a more serious problem than might be apparent if the individual violations are considered separately, the concept of systemic deficiency will permit regulators to require a more comprehensive plan of corrective action.
4. The revised regulation reduces the number of life, health and safety standards but defines these standards more strictly and spells out the range of actions that may be taken when life, health or safety standards are violated. In addition, the revised regulation will include a list of the life, health and safety standards.
5. The revised regulation requires the department to assist programs in meeting the requirements of standards by issuing compliance manuals that will specify how a program can demonstrate compliance with board standards and policies.
6. The revised regulation provides for the monitoring for compliance with board policies that are identified in the guidance documents to be prepared by the department.

7. Under the revised regulation, before a newly constructed, expanded or renovated residential program is approved to house juveniles, department staff must visit the facility and verify that it meets life, health and safety standards and physical plant standards, including the Regulations for State Reimbursement of Local Juvenile Residential Facility Costs (6 VAC 35-30-10 et seq.) and the department's Guidelines for Minimum Standards in Design and Construction of Juvenile Facilities, and that the current certification issued by the board is appropriate to the facility's program and construction.

8. The phase-in period for programs to comply with new standards (6 VAC 35-20-140) is repealed. When the board enacts new regulations, it can set longer or shorter transitional periods, depending on the circumstances.

The agency intends to hold a public hearing on the proposed regulation after publication.

Statutory Authority: §§ 16.1-233, 16.1-234, 16.1-311, 16.1-312, and 66-10 of the Code of Virginia.

Public comments may be submitted until April 26, 2000.

Contact: Donald Carignan, Regulatory Coordinator, Department of Juvenile Justice, 700 Centre, 700 E. Franklin St., 4th Floor, Richmond, VA 23219, telephone (804) 371-0743 or FAX (804) 371-0773.

VA.R. Doc. No. R00-150; Filed March 1, 2000, 12:39 p.m.

TITLE 8. EDUCATION

STATE BOARD OF EDUCATION

† Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Board of Education intends to consider promulgating regulations entitled: **8 VAC 20-630-10 et seq. Standards for Remedial Education Programs.** The purpose of the proposed action is to establish standards and reporting requirements for the identified remedial education programs. The regulations will enable the Board of Education to annually collect data and evaluate the effectiveness of such programs. The agency intends to hold a public hearing on the proposed regulations after publication.

Statutory Authority: §§ 22.1-199.2 and 22.1-253.13:1 of the Code of Virginia.

Public comments may be submitted until April 26, 2000.

Contact: Dr. Margaret N. Roberts, Executive Assistant for Board Relations, Department of Education, P.O. Box 2120,

Richmond, VA 23218-2120, telephone (804) 225-2540 or FAX (804) 225-2524.

VA.R. Doc. No. R00-151; Filed March 7, 2000, 1:09 p.m.

TITLE 9. ENVIRONMENT

STATE AIR POLLUTION CONTROL BOARD

† Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Air Pollution Control Board intends to consider amending regulations entitled: **9 VAC 5-40-10 et seq. Existing Stationary Sources (Rev. A99)**. The purpose of the proposed action is to make the state version of the non-CTG NO_x RACT rule consistent with the federally-approved version and to adopt NO_x controls as may be necessary to address air quality violations.

One of the primary goals of the federal Clean Air Act (Act) is the attainment and maintenance of the National Ambient Air Quality Standards (NAAQS). These standards, designed to protect public health and welfare, apply to six pollutants, of which ozone is the primary focus of this proposed action. Ozone is formed when volatile organic compounds (VOCs) and nitrogen oxides (NO_x) in the air react together in the presence of sunlight. VOCs are chemicals contained in gasoline, polishes, paints, varnishes, cleaning fluids, inks, and other household and industrial products. NO_x emissions are a by-product from the combustion of fuels and industrial processes.

To reduce ozone concentrations in the ambient air, the emissions of NO_x and VOCs (ozone precursors) from both mobile and stationary sources must be reduced. VOC and NO_x emissions from stationary sources can be reduced by employing stationary source controls. Reduction of ozone precursors from stationary sources via stationary source controls can substantially reduce ozone concentrations, and in conjunction with reductions achieved from control measures on other source types, can reduce ozone concentrations to levels at or below the current health standard for ozone.

The National Ambient Air Quality Standard for ozone was established by the U.S. Environmental Protection Agency (EPA) to protect the health of the general public with an adequate margin of safety. When concentrations of ozone in the ambient air exceed the federal standard, the area is considered to be out of compliance and is classified as "nonattainment." Failure to develop adequate programs to meet the ozone air quality standard (i) will result in continued violations of the standard to the detriment of public health and welfare, (ii) may result in assumption of the program by EPA at which time the Commonwealth would lose authority over matters affecting its citizens, and (iii) may result in the implementation of sanctions by EPA, such as prohibition of new major industrial facilities and loss of federal funds for sewage treatment plant development and highway

construction. Furthermore, if a particular area fails to attain the federal standard by the legislatively mandated attainment date, EPA is required to reassign it to the next higher classification level (denoting a worse air quality problem), thus subjecting the area to more stringent air pollution control requirements. The Clean Air Act includes specific provisions requiring these sanctions to be issued by EPA if so warranted.

The 1990 Amendments to the Clean Air Act (new Act) represent the most comprehensive piece of clean air legislation ever enacted to address air quality planning requirements for areas that had not attained the federal air quality standard for ozone (that is, nonattainment areas). The new Act established a process for evaluating the air quality in each region and identifying and classifying each nonattainment area according to the severity of its air pollution problem. Nonattainment areas are classified as marginal, moderate, serious, severe and extreme. Marginal areas are subject to the least stringent requirements and each subsequent classification (or class) is subject to successively more stringent control measures. Areas in a higher classification of nonattainment must meet the mandates of the lower classifications plus the more stringent requirements of its own class.

In 1990, the classifications for Virginia's nonattainment areas were marginal for the Hampton Roads Nonattainment Area, moderate for the Richmond Nonattainment Area, and serious for the Northern Virginia Nonattainment Area. Since that time, air quality has improved. Although Northern Virginia remains as a nonattainment area, Richmond and Hampton Roads have achieved the one-hour ozone standard and are now considered maintenance areas; that is, specific strategies that were implemented must continue, however, no additional new requirements are necessary provided the areas do not measure ozone concentrations in levels high enough to reclassify them into nonattainment.

Once the nonattainment areas were defined, each state was then obligated to submit a plan demonstrating how it will attain the air quality standard in each nonattainment area. The Act mandates that all such plans require the implementation of all reasonably available control measures (RACM). For the Northern Virginia Nonattainment Area situation, the Act has defined several RACMs. One of the RACMs is to require emission controls for the precursors of ozone (VOCs and NO_x) on presently uncontrolled major stationary sources. Thus, in order to have a fully approvable plan, control methods for this category of sources must be analyzed and, if found to be reasonable, implemented.

In order to implement the mandate of the Act, the State Air Pollution Control Board adopted a regulation (Rule 4-4) which provides that the Department must, on case-by-case basis, determine whether there is reasonably available control technology (RACT) to reduce VOC emissions and NO_x emissions from major sources [>50 tons per year (TPY) potential] located in the Northern Virginia Nonattainment Area for which EPA has not issued a control techniques guideline (CTG). CTGs are documents issued to define RACT for a particular source category. EPA has defined RACT as the lowest emission limit that a particular source is capable of

Notices of Intended Regulatory Action

meeting by the application of control technology that is reasonably available considering technological and economic feasibility.

This regulation is a process-oriented, generic regulation which does not include specific and ascertainable emission limits for all major sources and does not provide standards for EPA to approve or disapprove to satisfy the definition of RACT. Therefore, RACT requirements are only satisfied after the specific limits for a specific source have been submitted to EPA as a SIP revision. RACT may be a technology that has been applied to similar, but not necessarily identical, source categories. It is not intended that extensive research and development be conducted before a given control technology can be applied to the source. This does not, however, preclude a short term evaluation program to permit the application of a given technology to a particular source. The latter effort is an appropriate technology forcing aspect of RACT. If RACT exists, then a legally enforceable means must be adopted to require the necessary emission reductions.

As previously stated, the Clean Air Act requires states to submit rules to implement RACT on major sources of NO_x in ozone nonattainment areas designated as moderate or above and throughout the Ozone Transport Region. This includes Northern Virginia which is part of the Metropolitan Washington, D.C., serious ozone nonattainment area. Virginia made two submittals with regard to this issue, one on November 9, 1992, and another on April 22, 1996. The November 9, 1992, SIP revision consisted of adopted regulations to impose NO_x RACT on major sources in the nonattainment area (Rule 4-4 and Appendix T). The November 1992 submittal was supplemented with the submittal of April 22, 1996. EPA notified Virginia via letter dated March 17, 1998, that portions of the 1992 submittal and all of the April 1996 submittal were unacceptable to EPA and should be withdrawn, i.e., removed from the regulation that would be federally approved and included in the SIP. On April 11, 1998, Virginia withdrew, by letter, the following provisions of those submittals as they relate to the control of nitrogen oxides:

1. All of the provisions of the April 22, 1996, submittal.
2. Certain provisions of the November 9, 1992, submittal in regulatory Appendix T relating to exemptions in Sections III C 1 and C 3 and the emission allocation system in Section IV.

The April 11, 1998, letter also included a revised version of Appendix T to correct a technical error which had appeared during publication in the Virginia Register. In addition to the typographical correction, Appendix T was recodified and renumbered as 9 VAC 5-40-311.

As mentioned above, the Richmond area has been redesignated attainment. As part of the request to redesignate the area attainment, the Commonwealth included a maintenance plan designed to ensure that compliance with the air quality standards is maintained. The maintenance plan includes contingency measures, as necessary, to promptly correct any air quality violation that occurs after redesignation of the area. These include, among others,

implementation of control requirements on sources of NO_x. Recent air quality data for the Richmond area, however, suggest that the levels of ozone have been high enough to be considered in violation of the ozone air quality standard. Therefore, the Commonwealth is obligated to take corrective action to eliminate the violations. Air quality analyses performed by the U.S. Environmental Protection Agency and the Department of Environmental Quality indicate that NO_x controls are necessary to address this issue. In addition, the attainment plans for the Northern Virginia area include an obligation to implement NO_x controls.

Potential issues that may need to be addressed are as follows:

1. To ensure that the current regulation is consistent with the version in the November 9, 1992, NO_x reasonably available control technology (RACT) State Implementation Plan (SIP) submittal, as modified on December 11, 1992, and April 11, 1998. This submittal requires that Virginia submit to EPA source-specific RACT determinations for all currently known major sources subject to source-specific NO_x RACT requirements.
2. Recent air quality data indicate that the Richmond area is in violation of the ozone air quality standard. The regulation needs to address any control actions needed to bring the Richmond area into compliance with the ozone standard. Air quality analyses performed by the U.S. Environmental Protection Agency and the Department of Environmental Quality indicate that NO_x controls are necessary to address this issue.

Alternatives to the proposed regulation amendments are being considered by the department. The department has tentatively determined that the first alternative is appropriate, as it is the least burdensome and least intrusive alternative that fully meets the purpose of the regulatory action. The alternatives being considered by the department, along with the reasoning by which the department has rejected any of the alternatives being considered, are discussed below.

1. Amend the regulations to satisfy the provisions of the law and associated regulations and policies. This option is being selected because it meets the stated purpose of the regulatory action: to make the state version of the regulation consistent with the federally approved version and to adopt NO_x controls as may be necessary to address air quality violations.
2. Make alternative regulatory changes to those required by the provisions of the law and associated regulations and policies. This option is not being selected because it would result in a state regulation that was not consistent with the federally approved version. This would lead to confusion for the general public and the regulated community.
3. Take no action to amend the regulations and continue to implement a regulation that is not consistent with the federally approved SIP version. This option is not being selected due to the same reasons cited in number two above.

Notices of Intended Regulatory Action

The department is soliciting comments on (i) the intended regulatory action, to include ideas to assist the department in the development of the proposal, and (ii) the costs and benefits of the alternatives stated in this notice or other alternatives. A public meeting will be held by the department to receive comments on and to discuss the intended action. Information on the date, time, and place of the meeting is published in the Calendar of Events section of the Virginia Register. Unlike a public hearing, which is intended only to receive testimony, this meeting is being held to discuss and exchange ideas and information relative to regulation development.

After publication in the Virginia Register of Regulations, the department will hold at least one public hearing to provide opportunity for public comment on any regulation amendments drafted pursuant to this notice.

The department will form an ad hoc advisory group to assist in the development of the regulation. If you want to be on the group, notify the agency contact in writing by 4:30 p.m. on May 2, 2000, and provide your name, address, phone number and the organization you represent, if any. Notification of the composition of the ad hoc advisory group will be sent to all applicants. If you want to be on the group, you are encouraged to attend the public meeting mentioned above. The primary function of the group is to develop recommended regulation amendments for department consideration through the collaborative approach of regulatory negotiation and consensus.

Statutory Authority: § 10.1-1308 of the Code of Virginia.

Public comments may be submitted until May 2, 2000, to the Director, Office of Air Regulatory Development, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240.

Contact: Mary E. Major, Environmental Program Manager, Office of Air Regulatory Development, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4423, FAX (804) 698-4510, toll-free 1-800-592-5482, or (804) 698-4021/TTY☎

VA.R. Doc. No. R00-152; Filed March 8, 2000, 11:55 a.m.

Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Air Pollution Control Board intends to consider promulgating regulations entitled: **9 VAC 5-210-10 et seq. Regulation for Dispute Resolution**. The purpose of the proposed action is to establish requirements to govern the use of mediation and dispute resolution in regulation development and permit issuance. Section 10.1-1186.3 A of the Code of Virginia allows the State Air Pollution Control Board to use mediation and alternative dispute resolution to resolve underlying issues, to reach a consensus, or to compromise on contested issues related to the development of a regulation or to the issuance of a permit. Section 10.1-1186.3 D of the Code of Virginia specifies that the board shall adopt regulations in accordance with the Administrative Process Act for the implementation of § 10.1-1186.3. These regulations are to include (i) standards and procedures for the conduct of

mediation and dispute resolution, (ii) the appointment and function of a neutral; and (iii) procedures to protect the confidentiality of papers, work product, or other materials.

Beginning in the early 1970s, federal, state, and local governments have increasingly used mediation and other consensus-building tools as an alternative to more traditional means of resolving disputes. These consensus-building tools are intended to supplement, not replace, conventional legislative, judicial, administrative, or regulatory mechanisms. The benefits of dispute resolution (DR) are many:

(1) DR achieves results satisfactory to all parties. Since each party learns to search for common ground and to recognize similar interests in the other parties, the traditional "hero vs. villain" illusion of adversarial disputes is avoided. Because the eventual solution is beneficial to all parties rather than to only one, the process produces mutual satisfaction in all parties, rather than winners and losers. Studies by the American Arbitration Association show that 80% of participants were satisfied with their DR programs regardless of process or outcome.

(2) DR saves money. For instance, a single mediation undertaken by the New Jersey Center for Public Dispute Resolution to settle a dispute with the federal government over the state's emergency transport system avoided a potential loss of \$20 million in federal funds.

(3) DR accelerates the decision-making process. Because the concerned parties have a vested interest in achieving a speedy settlement, resolutions are generally reached in much less time through DR than is required for resolutions to be reached through more traditional means.

(4) DR decreases the load on the court system. For instance, Cincinnati's Institute of Justice Private Complaint Program has reduced the municipal court's caseload by a third every year since 1974, with nearly half of the referred cases settled out of court and others being referred to noncourt agencies. Government decision-makers sometimes perceive litigation as a politically safer option than DR since the court can be blamed for any undesirable outcome. These decision-makers, however, have much more control over the outcome through DR than through litigation. Furthermore, they can still exercise their right to a court settlement if DR fails.

(5) DR is politically advantageous to the involved parties by enhancing their reputation for consensus-building and problem-solving. Because DR has developed only over the course of the past two decades, some local government officials and other small-group representatives are unaware of its existence or question its legitimacy as a problem-solving tool appropriate to the inherently conservative atmosphere of government. But DR is not the same as binding arbitration: its use is neither an admission of failure nor an abdication of authority, but a demonstration that the involved parties are sufficiently dedicated to the public good to be willing to compromise in order to reach a solution.

Notices of Intended Regulatory Action

A large number of the issues settled through DR are environmental ones. Dispute resolution centers in New Jersey, Massachusetts, Minnesota, New York, New Mexico, Georgia, Florida, and many other states have initiated important discussions and facilitated agreements involving complex and controversial issues like the establishment of regional sewage treatment facilities, the siting of solid waste disposal facilities, the disposal of hazardous waste, the clean-up of a Superfund site, the spraying of herbicides, the adoption of environmental standards, and the siting of underground storage tanks. A well-known example of the successful use of mediation to address an environmental problem is the decade-long public battle over the development of Hawaii's first state water code, which pitted developers against environmentalists, large landowners against small ones, and the counties against the state. This battle produced one legislative stalemate after another to the frustration of all parties but was finally resolved through mediation conducted by Hawaii's Program on Alternative Dispute Resolution.

An example of what happens without DR is the case of the Hampton-Roads refinery in Virginia. The refinery was proposed in 1970, discussed for over a decade, but never built. Contributing to the failure of the project were badly timed changes in the permitting process, understaffing of the State Air Pollution Control Board, statutory vagueness, siting disagreements, lack of communication within the Army Corps of engineers, angry citizens, gubernatorial dissatisfaction with the progress of the project, the involvement of the federal government through both the Department of the Interior and the military, and the expiration of the initially issued permits. At the end of the failed project, the company's expenses were over six million dollars, with about half of that in legal fees. The Army Corps of Engineers' bill for legal fees was at least that amount. This case is a good example of the many such environmental disputes which die of exhaustion rather than being settled fairly and thoughtfully. Millions of dollars and thousands of labor years were squandered without an equitable settlement.

One way for Virginia to avoid this situation in the future is to adopt regulations that enable it to implement § 10.1-1186.3 of the Code of Virginia.

The primary issues that need to be addressed in the development of the regulation are those specified in § 10.1-1186.3 (see "Legal Requirements" above). Secondary issues may involve procedural matters such as the division of costs, scheduling requirements, and so on.

Alternatives to the proposed regulation amendments are being considered by the department. The department has tentatively determined that the first alternative is appropriate, as it is the least burdensome and least intrusive alternative that fully meets the purpose of the regulatory action. The alternatives being considered by the department are discussed below.

1. Amend the regulations to satisfy the provisions of the law. This option is being selected because it meets the stated purpose of the regulatory action: to comply with the mandate of § 10.1-1186.3 of the Code of Virginia that requires the adoption of regulations for the use of

mediation or alternative dispute resolution in the development of a regulation or in the issuance of a permit.

2. Make alternative regulatory changes to those required by the provisions of the law and associated regulations and policies. This option is not being selected because it does not meet the stated purpose of the regulatory action.

3. Take no action to amend the regulations. This option is not being selected because it does not meet the stated purpose of the regulatory action.

As provided in the public participation procedures of the State Air Pollution Control Board, the department will include, in the subsequent Notice of Intended Regulatory Action, a description of the above alternatives and a request for comments on other alternatives and the costs and benefits of the above alternatives or the other alternatives that the commenters may provide.

In the formulation of this regulation, the department will consider the impact of the regulation on family formation, stability, and autonomy. It is not anticipated that this regulation will have a direct impact on families. However, there may be positive indirect impacts in that the regulation will streamline and accelerate environmental negotiations. Such streamlining and acceleration will lessen the enforcement burden and its attendant costs to taxpayers.

The agency intends to hold a public hearing on the proposed regulation after publication.

Statutory Authority: § 10.1-1186.3 of the Code of Virginia.

Public comments may be submitted until 4:30 p.m., March 30, 2000, to the Director, Office of Air Regulatory Development, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240.

Contact: Dr. Kathleen Sands, Policy Analyst, Office of Regulatory Development, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4413, FAX (804) 698-4510, toll-free 1-800-592-5482, or (804) 698-4021/TTY ☎

VA.R. Doc. No. R00-136; Filed February 9, 2000, 10:56 a.m.

VIRGINIA WASTE MANAGEMENT BOARD

Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Virginia Waste Management Board intends to consider promulgating regulations entitled: **9 VAC 20-15-10 et seq. Regulation for Dispute Resolution.** The purpose of the proposed action is to establish requirements to govern the use of mediation and dispute resolution in regulation development and permit issuance.

Section 10.1-1186.3 A of the Code of Virginia allows the Virginia Waste Management Board to use mediation and alternative dispute resolution to resolve underlying issues, to reach a consensus, or to compromise on contested issues related to the

development of a regulation or to the issuance of a permit. Section 10.1-1186.3 D of the Code of Virginia specifies that the board shall adopt regulations in accordance with the Administrative Process Act for the implementation of § 10.1-1186.3. These regulations are to include (i) standards and procedures for the conduct of mediation and dispute resolution, (ii) the appointment and function of a neutral; and (iii) procedures to protect the confidentiality of papers, work product, or other materials.

Beginning in the early 1970s, federal, state, and local governments have increasingly used mediation and other consensus-building tools as an alternative to more traditional means of resolving disputes. These consensus-building tools are intended to supplement, not replace, conventional legislative, judicial, administrative, or regulatory mechanisms. The benefits of dispute resolution (DR) are many:

(1) DR achieves results satisfactory to all parties. Since each party learns to search for common ground and to recognize similar interests in the other parties, the traditional "hero vs. villain" illusion of adversarial disputes is avoided. Because the eventual solution is beneficial to all parties rather than to only one, the process produces mutual satisfaction in all parties, rather than winners and losers. Studies by the American Arbitration Association show that 80% of participants were satisfied with their DR programs regardless of process or outcome.

(2) DR saves money. For instance, a single mediation undertaken by the New Jersey Center for Public Dispute Resolution to settle a dispute with the federal government over the state's emergency transport system avoided a potential loss of \$20 million in federal funds.

(3) DR accelerates the decision-making process. Because the concerned parties have a vested interest in achieving a speedy settlement, resolutions are generally reached in much less time through DR than is required for resolutions to be reached through more traditional means.

(4) DR decreases the load on the court system. For instance, Cincinnati's Institute of Justice Private Complaint Program has reduced the municipal court's caseload by a third every year since 1974, with nearly half of the referred cases settled out of court and others being referred to noncourt agencies. Government decision-makers sometimes perceive litigation as a politically safer option than DR since the court can be blamed for any undesirable outcome. These decision-makers, however, have much more control over the outcome through DR than through litigation. Furthermore, they can still exercise their right to a court settlement if DR fails.

(5) DR is politically advantageous to the involved parties by enhancing their reputation for consensus-building and problem-solving. Because DR has developed only over the course of the past two decades, some local government officials and other small-group representatives are unaware of its existence or question its legitimacy as a problem-solving tool appropriate to the inherently conservative atmosphere of government. But

DR is not the same as binding arbitration: its use is neither an admission of failure nor an abdication of authority, but a demonstration that the involved parties are sufficiently dedicated to the public good to be willing to compromise in order to reach a solution.

A large number of the issues settled through DR are environmental ones. Dispute resolution centers in New Jersey, Massachusetts, Minnesota, New York, New Mexico, Georgia, Florida, and many other states have initiated important discussions and facilitated agreements involving complex and controversial issues like the establishment of regional sewage treatment facilities, the siting of solid waste disposal facilities, the disposal of hazardous waste, the clean-up of a Superfund site, the spraying of herbicides, the adoption of environmental standards, and the siting of underground storage tanks. A well-known example of the successful use of mediation to address an environmental problem is the decade-long public battle over the development of Hawaii's first state water code, which pitted developers against environmentalists, large landowners against small ones, and the counties against the state. This battle produced one legislative stalemate after another to the frustration of all parties but was finally resolved through mediation conducted by Hawaii's Program on Alternative Dispute Resolution.

An example of what happens without DR is the case of the Hampton-Roads refinery in Virginia. The refinery was proposed in 1970, discussed for over a decade, but never built. Contributing to the failure of the project were badly timed changes in the permitting process, understaffing of the State Air Pollution Control Board, statutory vagueness, siting disagreements, lack of communication within the Army Corps of engineers, angry citizens, gubernatorial dissatisfaction with the progress of the project, the involvement of the federal government through both the Department of the Interior and the military, and the expiration of the initially issued permits. At the end of the failed project, the company's expenses were over six million dollars, with about half of that in legal fees. The Army Corps of Engineers' bill for legal fees was at least that amount. This case is a good example of the many such environmental disputes which die of exhaustion rather than being settled fairly and thoughtfully. Millions of dollars and thousands of labor years were squandered without an equitable settlement.

One way for Virginia to avoid this situation in the future is to adopt regulations that enable it to implement § 10.1-1186.3 of the Code of Virginia.

The primary issues that need to be addressed in the development of the regulation are those specified in § 10.1-1186.3 (see "Legal Requirements" above). Secondary issues may involve procedural matters such as the division of costs, scheduling requirements, and so on.

Alternatives to the proposed regulation amendments are being considered by the department. The department has tentatively determined that the first alternative is appropriate, as it is the least burdensome and least intrusive alternative that fully meets the purpose of the regulatory action. The alternatives being considered by the department are discussed below.

Notices of Intended Regulatory Action

1. Amend the regulations to satisfy the provisions of the law. This option is being selected because it meets the stated purpose of the regulatory action: to comply with the mandate of § 10.1-1186.3 of the Code of Virginia that requires the adoption of regulations for the use of mediation or alternative dispute resolution in the development of a regulation or in the issuance of a permit.

2. Make alternative regulatory changes to those required by the provisions of the law and associated regulations and policies. This option is not being selected because it does not meet the stated purpose of the regulatory action.

3. Take no action to amend the regulations. This option is not being selected because it does not meet the stated purpose of the regulatory action.

As provided in the public participation procedures of the Virginia Waste Management Board, the department will include, in the subsequent Notice of Intended Regulatory Action, a description of the above alternatives and a request for comments on other alternatives and the costs and benefits of the above alternatives or the other alternatives that the commenters may provide.

In the formulation of this regulation, the department will consider the impact of the regulation on family formation, stability, and autonomy. It is not anticipated that this regulation will have a direct impact on families. However, there may be positive indirect impacts in that the regulation will streamline and accelerate environmental negotiations. Such streamlining and acceleration will lessen the enforcement burden and its attendant costs to taxpayers.

The agency intends to hold a public hearing on the proposed regulation after publication.

Statutory Authority: § 10.1-1186.3 of the Code of Virginia.

Public comments may be submitted until 4:30 p.m., March 30, 2000, to the Director, Office of Air Regulatory Development, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240.

Contact: Dr. Kathleen Sands, Policy Analyst, Office of Regulatory Development, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4413, FAX (804) 698-4510, toll-free 1-800-592-5482, or (804) 698-4021/TTY ☎

VA.R. Doc. No. R00-139; Filed February 9, 2000, 10:56 a.m.

STATE WATER CONTROL BOARD

Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Water Control Board intends to consider promulgating regulations entitled: **9 VAC 25-15-10 et seq. Regulation for Dispute Resolution**. The purpose of the proposed action is to establish requirements to govern the use of mediation and dispute resolution in regulation

development and permit issuance. Section 10.1-1186.3 A of the Code of Virginia allows the State Water Control Board to use mediation and alternative dispute resolution to resolve underlying issues, to reach a consensus, or to compromise on contested issues related to the development of a regulation or to the issuance of a permit. Section 10.1-1186.3 D of the Code of Virginia specifies that the board shall adopt regulations in accordance with the Administrative Process Act for the implementation of § 10.1-1186.3. These regulations are to include (i) standards and procedures for the conduct of mediation and dispute resolution, (ii) the appointment and function of a neutral; and (iii) procedures to protect the confidentiality of papers, work product, or other materials.

Beginning in the early 1970s, federal, state, and local governments have increasingly used mediation and other consensus-building tools as an alternative to more traditional means of resolving disputes. These consensus-building tools are intended to supplement, not replace, conventional legislative, judicial, administrative, or regulatory mechanisms. The benefits of dispute resolution (DR) are many:

(1) DR achieves results satisfactory to all parties. Since each party learns to search for common ground and to recognize similar interests in the other parties, the traditional "hero vs. villain" illusion of adversarial disputes is avoided. Because the eventual solution is beneficial to all parties rather than to only one, the process produces mutual satisfaction in all parties, rather than winners and losers. Studies by the American Arbitration Association show that 80% of participants were satisfied with their DR programs regardless of process or outcome.

(2) DR saves money. For instance, a single mediation undertaken by the New Jersey Center for Public Dispute Resolution to settle a dispute with the federal government over the state's emergency transport system avoided a potential loss of \$20 million in federal funds.

(3) DR accelerates the decision-making process. Because the concerned parties have a vested interest in achieving a speedy settlement, resolutions are generally reached in much less time through DR than is required for resolutions to be reached through more traditional means.

(4) DR decreases the load on the court system. For instance, Cincinnati's Institute of Justice Private Complaint Program has reduced the municipal court's caseload by a third every year since 1974, with nearly half of the referred cases settled out of court and others being referred to noncourt agencies. Government decision-makers sometimes perceive litigation as a politically safer option than DR since the court can be blamed for any undesirable outcome. These decision-makers, however, have much more control over the outcome through DR than through litigation. Furthermore, they can still exercise their right to a court settlement if DR fails.

(5) DR is politically advantageous to the involved parties by enhancing their reputation for consensus-building and problem-solving. Because DR has developed only over the course of the past two decades, some local

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government officials and other small-group representatives are unaware of its existence or question its legitimacy as a problem-solving tool appropriate to the inherently conservative atmosphere of government. But DR is not the same as binding arbitration: its use is neither an admission of failure nor an abdication of authority, but a demonstration that the involved parties are sufficiently dedicated to the public good to be willing to compromise in order to reach a solution.

A large number of the issues settled through DR are environmental ones. Dispute resolution centers in New Jersey, Massachusetts, Minnesota, New York, New Mexico, Georgia, Florida, and many other states have initiated important discussions and facilitated agreements involving complex and controversial issues like the establishment of regional sewage treatment facilities, the siting of solid waste disposal facilities, the disposal of hazardous waste, the clean-up of a Superfund site, the spraying of herbicides, the adoption of environmental standards, and the siting of underground storage tanks. A well-known example of the successful use of mediation to address an environmental problem is the decade-long public battle over the development of Hawaii's first state water code, which pitted developers against environmentalists, large landowners against small ones, and the counties against the state. This battle produced one legislative stalemate after another to the frustration of all parties but was finally resolved through mediation conducted by Hawaii's Program on Alternative Dispute Resolution.

An example of what happens without DR is the case of the Hampton-Roads refinery in Virginia. The refinery was proposed in 1970, discussed for over a decade, but never built. Contributing to the failure of the project were badly timed changes in the permitting process, understaffing of the State Air Pollution Control Board, statutory vagueness, siting disagreements, lack of communication within the Army Corps of engineers, angry citizens, gubernatorial dissatisfaction with the progress of the project, the involvement of the federal government through both the Department of the Interior and the military, and the expiration of the initially issued permits. At the end of the failed project, the company's expenses were over six million dollars, with about half of that in legal fees. The Army Corps of Engineers' bill for legal fees was at least that amount. This case is a good example of the many such environmental disputes which die of exhaustion rather than being settled fairly and thoughtfully. Millions of dollars and thousands of labor years were squandered without an equitable settlement.

One way for Virginia to avoid this situation in the future is to adopt regulations that enable it to implement § 10.1-1186.3 of the Code of Virginia.

The primary issues that need to be addressed in the development of the regulation are those specified in § 10.1-1186.3 (see "Legal Requirements" above). Secondary issues may involve procedural matters such as the division of costs, scheduling requirements, and so on.

Alternatives to the proposed regulation amendments are being considered by the department. The department has tentatively determined that the first alternative is appropriate,

as it is the least burdensome and least intrusive alternative that fully meets the purpose of the regulatory action. The alternatives being considered by the department are discussed below.

1. Amend the regulations to satisfy the provisions of the law. This option is being selected because it meets the stated purpose of the regulatory action: to comply with the mandate of § 10.1-1186.3 of the Code of Virginia that requires the adoption of regulations for the use of mediation or alternative dispute resolution in the development of a regulation or in the issuance of a permit.
2. Make alternative regulatory changes to those required by the provisions of the law and associated regulations and policies. This option is not being selected because it does not meet the stated purpose of the regulatory action.
3. Take no action to amend the regulations. This option is not being selected because it does not meet the stated purpose of the regulatory action.

As provided in the public participation procedures of the State Water Control Board, the department will include, in the subsequent Notice of Intended Regulatory Action, a description of the above alternatives and a request for comments on other alternatives and the costs and benefits of the above alternatives or the other alternatives that the commenters may provide.

In the formulation of this regulation, the department will consider the impact of the regulation on family formation, stability, and autonomy. It is not anticipated that this regulation will have a direct impact on families. However, there may be positive indirect impacts in that the regulation will streamline and accelerate environmental negotiations. Such streamlining and acceleration will lessen the enforcement burden and its attendant costs to taxpayers.

The agency intends to hold a public hearing on the proposed regulation after publication.

Statutory Authority: § 10.1-1186.3 of the Code of Virginia.

Public comments may be submitted until 4:30 p.m., March 30, 2000, to the Director, Office of Air Regulatory Development, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240.

Contact: Dr. Kathleen Sands, Policy Analyst, Office of Regulatory Development, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4413, FAX (804) 698-4510, toll-free 1-800-592-5482, or (804) 698-4021/TTY ☎

VA.R. Doc. No. R00-140; Filed February 9, 2000, 10:56 a.m.

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Notice of Intended Regulatory Action

Extension of Public Comment Period

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Water Control Board intends to consider amending regulations entitled: **9 VAC 25-260-5 et seq. Water Quality Standards.** The purpose of the proposed action is to consider amending the water quality standards to update numerical or narrative criteria for dissolved oxygen for certain waters of the Chesapeake Bay and other naturally occurring low dissolved oxygen waters where current criteria are not appropriate.

Intent: The intent of this rulemaking is to protect designated and beneficial uses in the Commonwealth by adopting regulations that are technically correct and reasonable. These standards will be used in setting Virginia Pollutant Discharge Elimination System Permit limits and for evaluating the waters of the Commonwealth for inclusion in the federal Clean Water Act § 305(b) report and § 303(d) list. Waters not meeting standards will require development of a Total Maximum Daily Load under the federal Clean Water Act § 303(d).

Need: This rulemaking is needed because the current dissolved oxygen criteria (4mg/l minimum and 5mg/l daily average) are not appropriate in waters where the naturally occurring dissolved oxygen levels are below the existing criteria. These types of water may include the deep trenches of the Chesapeake Bay, the deep waters of stratified lakes and wetlands. Changes to these criteria are needed to facilitate permitting, monitoring and Total Maximum Daily Load development.

Alternatives Available to Meet the Need: Many alternatives in the subject areas listed will become available as DEQ staff and the public begin to review scientific data and the needs of permitting and monitoring. DEQ will work in conjunction with other state and federal agencies to consider various alternatives. Alternatives provided by the public will also be considered.

The department has not accepted nor rejected any alternatives as of yet. Some alternatives being considered by the agency now include, but are not limited to, the following:

- whether we should include alternative dissolved oxygen criteria for the Chesapeake Bay, wetlands and lakes;
- whether we should consider for adoption the Chesapeake Bay Living Resources Goals or Environmental Protection Agency criteria or some other criteria;
- whether zones for application of the criteria should be included and what these zones should be (i.e. application of a lower dissolved oxygen criterion one meter off the bottom (for the Bay), in the hypolimnion or below the thermocline (lakes), throughout the column (wetlands) or should some other zone be considered for application of the alternative criteria);

- whether to improve the specific narrative criterion that recognizes natural background differences for all waters. Currently natural conditions in surface water are recognized in the following sections of the regulation: 9 VAC 25-260-10.G, 9 VAC 25-260-50 and 9 VAC 25-260-250;

Request for Comments: Comments are requested on the intended regulatory action, including any ideas to assist the agency in the development of the proposal. Comments are requested on the costs and benefits of the stated alternatives or other alternatives. DEQ also requests comments as to whether the agency should use the participatory approach to assist the agency in the development of the proposal. The participatory approach is defined as a method for the use of (i) standing advisory committees, (ii) ad hoc advisory groups or panels, (iii) consultation with groups or individuals registering interest in working with the agency, or (iv) any combination thereof.

Public Meeting: A public meeting was held on January 27, 2000, at 2 p.m. at the Virginia War Memorial, 621 South Belvidere Street, Richmond, Virginia 23220. The public comment period on the intended regulatory action has been extended until April 7, 2000. Please submit comments to Elleanore Daub, Office of Water Quality Programs, Department of Environmental Quality, 629 East Main Street, Richmond, VA 23219.

The agency intends to hold a public hearing on the proposed regulation after publication.

Statutory Authority: § 62.1-44.15 of the Code of Virginia.

Public comments may be submitted until April 7, 2000.

Contact: Elleanore Daub, Environmental Program Planner, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4111 or (804) 698-4522.

VA.R. Doc. No. R00-57; Filed December 1, 1999, 8:46 a.m.



TITLE 12. HEALTH

DEPARTMENT OF MEDICAL ASSISTANCE SERVICES

Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Department of Medical Assistance Services intends to consider amending regulations entitled: **12 VAC 30-50-10 et seq. Amount, Duration, and Scope of Medical and Remedial Care Services.** The purpose of the proposed action is to convert the provision of transportation to Medicaid recipients from medical service to an administrative expense. This regulatory change will permit DMAS to contract with transportation brokers to authorize, arrange and reimburse necessary nonemergency transportation statewide.

Notices of Intended Regulatory Action

The agency intends to hold a public hearing on the proposed regulation after publication.

Statutory Authority: § 32.1-325 of the Code of Virginia.

Public comments may be submitted until March 30, 2000, to Jeff Nelson, Analyst, Policy Division, Department of Medical Assistance Services, 600 East Broad Street, Suite 1300, Richmond, VA 23219.

Contact: Victoria P. Simmons, Regulatory Coordinator, Department of Medical Assistance Services, 600 E. Broad St., Suite 1300, Richmond, VA 23219, telephone (804) 786-7959 or FAX (804) 786-1680.

VA.R. Doc. No. R00-102; Filed January 27, 2000, 10:31 a.m.

STATE MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE SERVICES BOARD

Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Mental Health, Mental Retardation and Substance Abuse Services Board intends to consider repealing regulations entitled: **12 VAC 35-120-10 et seq. Rules and Regulations to Assure the Rights of Patients of Psychiatric Hospitals and Other Psychiatric Facilities Licensed by the Department of Mental Health, Mental Retardation and Substance Abuse Services.** This regulation, which protects the legal and human rights of all patients of psychiatric hospitals and other psychiatric facilities licensed by the Department of Mental Health, Mental Retardation and Substance Abuse Services, is being repealed and superseded by a regulation that establishes a single standard for community and facility, public and private human rights programs; addresses consumer and family concerns; and reflects current practice and terminology. The agency does not intend to hold a public hearing on the proposed repeal after publication.

Statutory Authority: § 37.1-84.1 of the Code of Virginia.

Public comments may be submitted until April 12, 2000.

Contact: Rita Hines, Acting Director, Office of Human Rights, Department of Mental Health, Mental Retardation and Substance Abuse Services, P.O. Box 1797, Richmond, VA 23218-1797, telephone (804) 786-3988 or FAX (804) 371-2308.

VA.R. Doc. No. R00-141; Filed February 14, 2000, 10:03 a.m.

Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Mental Health, Mental Retardation and Substance Abuse Services Board intends to consider repealing regulations entitled: **12 VAC 35-130-10 et seq. Rules and Regulations to Assure the Rights of Clients in Community Programs.** This regulation, which protects the legal and human rights of all clients who receive treatment in community programs licensed or funded by the Department of Mental Health, Mental Retardation and

Substance Abuse Services, is being repealed and superseded by a regulation that establishes a single standard for community and facility, public and private human rights programs; addresses consumer and family concerns; and reflects current practice and terminology. The agency does not intend to hold a public hearing on the proposed repeal after publication.

Statutory Authority: § 37.1-84.1 of the Code of Virginia.

Public comments may be submitted until April 12, 2000.

Contact: Rita Hines, Acting Director, Office of Human Rights, Department of Mental Health, Mental Retardation and Substance Abuse Services, P.O. Box 1797, Richmond, VA 23218-1797, telephone (804) 786-3988 or FAX (804) 371-2308.

VA.R. Doc. No. R00-142; Filed February 14, 2000, 10:03 a.m.

TITLE 18. PROFESSIONAL AND OCCUPATIONAL LICENSING

BOARD OF MEDICINE

Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Board Medicine intends to consider promulgating regulations entitled: **18 VAC 85-120-10 et seq. Regulations Governing the Certification of Athletic Trainers.** The purpose of the proposed regulation is to promulgate regulations establishing the appropriate training, educational credentials and examination for the certification of athletic trainers; to set forth criteria for continuing competency; and to establish fees as necessary to cover expenditures for regulation of the profession. The agency intends to hold a public hearing on the proposed regulation after publication.

Statutory Authority: §§ 54.1-2400 and 54.1-2957.4 of the Code of Virginia.

Public comments may be submitted until March 29, 2000.

Contact: William L. Harp, M.D., Executive Director, Board of Medicine, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9908 or FAX (804) 662-9943.

VA.R. Doc. No. R00-104; Filed January 28, 2000, 11:54 a.m.

Notices of Intended Regulatory Action

TITLE 22. SOCIAL SERVICES

STATE BOARD OF SOCIAL SERVICES

Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Board of Social Services intends to consider repealing regulations entitled:

22 VAC 40-32-10 et seq. Aid to Families with Dependent Children (AFDC) Program - Determining AFDC Eligibility When the Only Dependent Child Receives Foster Care Benefits.

22 VAC 40-290-10. Earned Income Disregards/Student Earnings in the Aid to Families with Dependent Children (AFDC) Program.

22 VAC 40-300-10 et seq. Lump Sum Ineligibility Period in the Aid to Families with Dependent Children (AFDC) Program.

22 VAC 40-310-10 et seq. Maximum Resource Limit in the Aid to Families with Dependent Children (AFDC) Program.

22 VAC 40-320-10 et seq. Disclosure of Information to Law-Enforcement Officers in the Aid to Families with Dependent Children (AFDC) Program.

22 VAC 40-350-10 et seq. Real Property Disposition Period in the Aid to Families with Dependent Children (AFDC) Program.

22 VAC 40-360-10 et seq. Definition of a Home in the Aid to Families with Dependent Children (AFDC) and General Relief (GR) Programs.

22 VAC 40-370-10 et seq. Job Training Partnership Act (JTPA) Income Disregards in the Aid to Families with Dependent Children (AFDC) Program.

22 VAC 40-380-10 et seq. Disregard of Certain Income Received by Indian Tribes in the Aid to Families with Dependent Children (AFDC) Program.

22 VAC 40-390-10 et seq. Persons and Income Required to be Considered When Evaluating Eligibility for Assistance in the Aid to Families with Dependent Children (AFDC) Program.

22 VAC 40-420-10 et seq. Aid to Families with Dependent Children: Unemployed Parent Demonstration (AFDC-UP Demo) Project.

22 VAC 40-430-10 et seq. Treatment of Casual and Inconsequential Income in the Aid to Families with Dependent Children (AFDC) Program.

22 VAC 40-440-10 et seq. Aid to Families with Dependent Children (AFDC) Program - Allocation of Income.

22 VAC 40-450-10 et seq. Lump Sum Payments in the Aid to Families with Dependent Children (AFDC) Program.

22 VAC 40-460-10 et seq. Deeming of Stepparent Income in the Aid to Families with Dependent Children (AFDC) Program.

22 VAC 40-490-10 et seq. Aid to Families with Dependent Children (AFDC) Program - Deprivation Due to the Incapacity of a Parent.

22 VAC 40-500-10 et seq. Work-Related Child Care Expense Disregard in the Aid to Families with Dependent Children (AFDC) Program.

22 VAC 40-510-10 et seq. Aid to Families with Dependent Children (AFDC) Program - Entitlement Date.

22 VAC 40-520-10 et seq. Aid to Families with Dependent Children (AFDC) Program - Disregarded Income and Resources.

22 VAC 40-530-10 et seq. Aid to Families with Dependent Children (AFDC) Program - Deprivation Due to Continued Absence.

22 VAC 40-550-10 et seq. Aid to Families with Dependent Children (AFDC) Program - Unemployed Parent (AFDC-UP) Program.

22 VAC 40-580-10 et seq. Aid to Families with Dependent Children - Elimination of Monthly Reporting.

22 VAC 40-590-10 et seq. Aid to Families with Dependent Children - Earned Income Tax Credit (EITC) Disregard.

22 VAC 40-610-10 et seq. Aid to Families with Dependent Children (AFDC) Program - Exclusion of Children Receiving Adoption Assistance and Foster Care Maintenance Payment.

22 VAC 40-620-10 et seq. Aid to Families with Dependent Children (AFDC) Program - Fifth Degree Specified Relative.

22 VAC 40-650-10 et seq. Aid to Families with Dependent Children (AFDC) Program - Disqualification for Intentional Program Violation.

22 VAC 40-750-10 et seq. Grant Diversion.

22 VAC 40-760-10 et seq. Employment Services Program Policy.

On August 22, 1996, the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA) was enacted, introducing welfare reform at the federal level. In Title I of the Act, Congress replaced the Aid to Families with Dependent Children (AFDC) Program with the Temporary Assistance for Needy Families (TANF) block grant. This block grant considerably reduced federal regulation of cash assistance and employment services programs, allowing states to design their programs within limited parameters.

Because the framework of the AFDC program was repealed by Congress, Virginia adopted pre-TANF federal definitions of eligibility criteria in order to maintain the program as it currently operated in Virginia. To that end, the 1997 Virginia General Assembly adopted legislation that codified the old rules, and an advisory committee comprised of legislators, social services directors and workers, local government officials, and citizens was formed to consider new TANF options. The committee made recommendations to simplify and streamline the TANF and VIEW programs.

The proposed regulations, 22 VAC 40-295-10 et seq., will implement the recommendations of the TANF Advisory Committee and will also serve as a comprehensive program regulation. These regulations will be repealed and any necessary language included in the proposed comprehensive regulation.

The agency does not intend to hold a public hearing on the proposed repeal of these regulations after publication.

Statutory Authority: § 63.1-25 of the Code of Virginia.

Public comments may be submitted until March 29, 2000.

Notices of Intended Regulatory Action

Contact: Mark L. Golden, Human Services Program Consultant, Department of Social Services, 730 E. Broad St., Richmond, VA 23219, telephone (804) 692-1730.

VA.R. Doc. Nos. R00-108 through R00-135, Filed February 4, 2000, 9:07 a.m.

† Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Board of Social Services intends to consider amending regulations entitled: **22 VAC 40-330-10 et seq. Collection of Overpayments in the Aid to Families with Dependent Children (AFDC) and Refugee Other Assistance Programs.**

On August 22, 1996, the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA) was enacted, introducing welfare reform at the federal level. In Title I of the Act, Congress replaced the Aid to Families with Dependent Children (AFDC) Program with the Temporary Assistance for Needy Families (TANF) block grant. This block grant considerably reduced federal regulation of cash assistance and employment services programs, allowing states to design their programs within limited parameters.

Because the framework of the AFDC program was repealed by Congress, Virginia adopted pre-TANF federal definitions of eligibility criteria in order to maintain the program as it currently operated in Virginia. To that end, the 1997 Virginia General Assembly adopted legislation that codified the old rules, and an advisory committee comprised of legislators, social services directors and workers, local government officials, and citizens was formed to consider new TANF options. The committee made recommendations to simplify and streamline the TANF and VIEW programs.

The proposed regulations, 22 VAC 40-295-10 et seq., will implement the recommendations of the TANF Advisory Committee and will also serve as a comprehensive program regulation. This regulation will be amended by deleting all references to the Aid to Families with Dependent Children Program. Then, this regulation will only apply to Refugee Other Assistance. Any language necessary for TANF will be included in the proposed comprehensive regulation.

The agency does not intend to hold a public hearing on the proposed repeal of these regulations after publication.

Statutory Authority: § 63.1-25 of the Code of Virginia.

Public comments may be submitted until March 29, 2000.

Contact: Mark L. Golden, Human Services Program Consultant, Department of Social Services, 730 E. Broad St., Richmond, VA 23219, telephone (804) 692-1730.

VA.R. Doc. No. R00-138; Filed February 8, 2000, 3:21 p.m.

† Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Board of Social Services intends to consider amending regulations entitled: **22 VAC 40-340-10 et seq. Protective Payments in the Aid to**

Families with Dependent Children (AFDC) and Refugee Other Assistance Programs.

On August 22, 1996, the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA) was enacted, introducing welfare reform at the federal level. In Title I of the Act, Congress replaced the Aid to Families with Dependent Children (AFDC) Program with the Temporary Assistance for Needy Families (TANF) block grant. This block grant considerably reduced federal regulation of cash assistance and employment services programs, allowing states to design their programs within limited parameters.

Because the framework of the AFDC program was repealed by Congress, Virginia adopted pre-TANF federal definitions of eligibility criteria in order to maintain the program as it currently operated in Virginia. To that end, the 1997 Virginia General Assembly adopted legislation that codified the old rules, and an advisory committee comprised of legislators, social services directors and workers, local government officials, and citizens was formed to consider new TANF options. The committee made recommendations to simplify and streamline the TANF and VIEW programs.

The proposed regulations, 22 VAC 40-295-10 et seq., will implement the recommendations of the TANF Advisory Committee and will also serve as a comprehensive program regulation. This regulation will be amended by deleting all references to the Aid to Families with Dependent Children Program. Then, this regulation will only apply to Refugee Other Assistance. Any language necessary for TANF will be included in the proposed comprehensive regulation.

The agency does not intend to hold a public hearing on the proposed repeal of these regulations after publication.

Statutory Authority: § 63.1-25 of the Code of Virginia.

Public comments may be submitted until March 29, 2000.

Contact: Mark L. Golden, Human Services Program Consultant, Department of Social Services, 730 E. Broad St., Richmond, VA 23219, telephone (804) 692-1730.

VA.R. Doc. No. R00-137; Filed February 8, 2000, 3:21 p.m.



FINAL REGULATIONS

For information concerning Final Regulations, see Information Page.

Symbol Key

Roman type indicates existing text of regulations. *Italic type* indicates new text. Language which has been stricken indicates text to be deleted. [Bracketed language] indicates a change from the proposed text of the regulation.

TITLE 4. CONSERVATION AND NATURAL RESOURCES

MARINE RESOURCES COMMISSION

REGISTRAR'S NOTICE: The following regulations filed by the Marine Resources Commission are exempt from the Administrative Process Act in accordance with § 9-6.14:4.1 F of the Code of Virginia; however, the commission is required to publish the full text of final regulations.

Title of Regulation: 4 VAC 20-252-10 et seq. **Pertaining to the Taking of Striped Bass (amending 4 VAC 20-252-120).**

Statutory Authority: § 28.2-201 of the Code of Virginia.

Effective Date: March 1, 2000.

Summary:

The amendment establishes additional clarification on tagging requirements relative to commercial sales of striped bass.

Agency Contact: Copies of the regulation may be obtained from Deborah R. Cawthon, Regulatory Coordinator, Marine Resources Commission, P.O. Box 756, Newport News, VA 23607, telephone (757) 247-2248.

4 VAC 20-252-120. Concerning commercial fishing: general.

A. It shall be unlawful for any person to engage in the commercial fishery for striped bass without first having the necessary commercial fisherman's registration license and appropriate gear license as required by Title 28.2 of the Code of Virginia, and the special permit to fish for striped bass established in 4 VAC 20-252-130, except as provided in subsection E of 4 VAC 20-252-160.

B. It shall be unlawful for any person fishing commercially to possess any striped bass taken outside any open commercial season or area, or with gear inapplicable to the season and area, as specified in 4 VAC 20-252-140. Any striped bass caught contrary to this provision shall be returned to the water immediately.

C. It shall be unlawful for any person while actively fishing pursuant to a commercial fishery to possess any striped bass that is less than the minimum size limit applicable for the area and season then open and being fished. Any striped bass caught that does not meet the applicable minimum size limit shall be returned to the water immediately.

D. All striped bass in the possession of any person for the purpose of sale must be identified with a tamper evident sealed tag that has been approved and issued by the appropriate authority in the jurisdiction of capture. Whole

striped bass shall have tags attached directly to the fish. Processed or filleted striped bass must be accompanied by the tags removed from the fish when processed. *Any person who possesses any amount of striped bass in excess of the maximum number allowed for a licensed recreational fisherman as described in 4 VAC 20-252-60 through 4 VAC 20-252-110, inclusive, shall be considered as possessing all striped bass for the purpose of sale. When any person possesses striped bass in excess of the maximum number allowed a licensed recreational fisherman, all striped bass of said person shall be tagged and the possession of any untagged striped bass shall be prima facie evidence of a violation of this chapter.*

E. When the striped bass are in the possession of any person, other than the original harvester, for the purpose of resale, the striped bass shall be accompanied by a bill of sale which shall include the name of the seller, the permit or license number of the seller if such permit or license is required in the jurisdiction of harvest, the date of sale, the pounds of striped bass in possession, the location of catch and the gear type used to harvest the striped bass. If the striped bass product for sale is fillets, the bill of sale shall also specify the number of fillets.

VA.R. Doc. No. R00-146; Filed February 29, 2000, 2:57 p.m.

Title of Regulation: 4 VAC 20-430-10 et seq. **Pertaining to the Marking and Minimum Mesh Size of Gill Nets (amending 4 VAC 20-430-70; adding 4 VAC 20-430-55).**

Statutory Authority: §§ 28.2-201 and 28.2-236 of the Code of Virginia.

Effective Date: March 1, 2000.

Summary:

The amendments establish a requirement for marking gill net buoys with the last four numbers of a commercial fisherman's registration license and allow that properly marked gill net buoys will prevent associated nets from seizure by law enforcement.

Agency Contact: Copies of the regulation may be obtained from Deborah R. Cawthon, Regulatory Coordinator, Marine Resources Commission, P.O. Box 756, Newport News, VA 23607, telephone (757) 247-2248.

4 VAC 20-430-55. Buoy marking procedures.

Any gill net placed, set or fished in accordance with 4 VAC 20-430-20, 4 VAC 20-430-40 or 4 VAC 20-430-50 shall have both buoys inscribed with the last four numbers of the licensee's commercial fisherman registration license.

4 VAC 20-430-70. Enforcement provisions.

In the enforcement of this chapter the Marine Patrol Officer shall consider the following:

1. If only one end or buoy of a gill net is found to be marked as required by this chapter, then a warning shall be issued by a Marine Patrol Officer, and the net owner shall have 24 hours to mark the net as provided in this chapter.
2. If both ends of a gill net are found in violation, a Marine Patrol Officer shall confiscate the net immediately *unless at least one remaining buoy is inscribed with the last four numbers of the licensee's commercial fisherman registration license.*

VA.R. Doc. No. R00-147; Filed February 29, 2000, 2:57 p.m.

Title of Regulation: 4 VAC 20-500-10 et seq. **Pertaining to the Catching of Eels (adding 4 VAC 20-500-55).**

Statutory Authority: § 28.2-201 of the Code of Virginia.

Effective Date: March 1, 2000.

Summary:

The amendment establishes a recreational possession limit of 50 eels.

Agency Contact: Copies of the regulation may be obtained from Deborah R. Cawthon, Regulatory Coordinator, Marine Resources Commission, P.O. Box 756, Newport News, VA 23607, telephone (757) 247-2248.

4 VAC 20-500-55. Possession limit.

A. *It shall be unlawful for any person fishing with recreational hook and line, rod and reel, spear, gig or other recreational gear to possess more than 50 eels. When fishing is from a boat or vessel where the entire catch is held in a common hold or container, the possession limit shall be for the boat or vessel and shall be equal to the number of persons on board legally eligible to fish multiplied by 50. The captain or operator of the boat or vessel shall be responsible for any boat or vessel possession limit. Any eel taken after the possession limit has been reached shall be returned to the water immediately.*

B. *Possession of any quantity of eel which exceeds the possession limit described in subsection A of this section shall be presumed to be for commercial purposes.*

VA.R. Doc. No. R00-143; Filed February 29, 2000, 2:55 p.m.

Title of Regulation: 4 VAC 20-620-10 et seq. **Pertaining to Summer Flounder (amending 4 VAC 20-620-50 and 4 VAC 20-620-70).**

Statutory Authority: §§ 28.2-201 and 28.2-204 of the Code of Virginia.

Effective Date: March 1, 2000.

Summary:

The amendments lower the lawful recreational minimum size limit and establish the closed fishing periods for 2000.

Agency Contact: Copies of the regulation may be obtained from Deborah R. Cawthon, Regulatory Coordinator, Marine Resources Commission, P.O. Box 756, Newport News, VA 23607, telephone (757) 247-2248.

4 VAC 20-620-50. Minimum size limits.

A. The minimum size for Summer Flounder harvested by commercial fishing gear shall be 14 inches, total length.

B. The minimum size of Summer Flounder harvested by recreational fishing gear, including but not limited to hook and line, rod and reel, spear and gig, shall be ~~46~~ 15-1/2 inches, total length.

C. Length shall be measured in a straight line from tip of nose to tip of tail.

D. It shall be unlawful for any person to possess any Summer Flounder smaller than the designated minimum size limit.

E. Nothing in this chapter shall prohibit the landing of Summer Flounder in Virginia which were legally harvested in the Potomac River.

4 VAC 20-620-70. Recreational fishing season.

A. The recreational fishing season shall be closed from ~~July 25 January 1~~ through ~~July 31, 1999 March 28, 2000~~, and from ~~January 1 July 24~~ through ~~February 29 August 1, 2000~~. It shall be unlawful for any person fishing recreationally to take, catch, or possess any Summer Flounder during the closed fishing season.

B. Nothing in this chapter shall prohibit the landing of Summer Flounder in Virginia which were legally harvested in the Potomac River.

VA.R. Doc. No. R00-148; Filed February 29, 2000, 2:58 p.m.

Title of Regulation: 4 VAC 20-910-10 et seq. **Pertaining to Scup (Porgy) (amending 4 VAC 20-910-45).**

Statutory Authority: § 28.2-201 of the Code of Virginia.

Effective Date: March 1, 2000.

Summary:

The amendments lower the commercial possession limit to 10,000 pounds from January 1 through April 30 and establish a recreational possession limit of 50 scup.

Agency Contact: Copies of the regulation may be obtained from Deborah R. Cawthon, Regulatory Coordinator, Marine Resources Commission, P.O. Box 756, Newport News, VA 23607, telephone (757) 247-2248.

Final Regulations

4 VAC 20-910-45. Possession limits and harvest quotas.

A. During the period January 1 through April 30 of each year, it shall be unlawful for any person to possess aboard any vessel or to land in Virginia more than ~~20,000~~ 10,000 pounds of scup; except when it is projected and announced that 85% of the coastwide quota for this period has been landed, it shall be unlawful for any person to possess aboard any vessel or to land in Virginia more than 1,000 pounds of scup.

B. During the period November 1 through December 31 of each year, it shall be unlawful for any person to possess aboard any vessel or to land in Virginia more than 8,000 pounds of scup except when it is announced that the coastwide quota for this period has been reached.

C. During the period May 1 through October 31 of each year, the commercial harvest and landing of scup in Virginia shall be limited to 3,167 pounds.

D. For each of the time periods set forth in this section, the Marine Resources Commission will give timely notice to the industry of calculated poundage possession limits and quotas and any adjustments thereto. It shall be unlawful for any person to possess or to land any scup for commercial purposes after any winter period coastwide quota or summer period Virginia quota has been attained and announced as such.

E. It shall be unlawful for any buyer of seafood to receive any scup after any commercial harvest or landing quota has been attained and announced as such.

F. *It shall be unlawful for any person fishing with hook and line, rod and reel, spear, gig or other recreational gear to possess more than 50 scup. When fishing is from a boat or vessel where the entire catch is held in a common hold or container, the possession limit shall be for the boat or vessel and shall be equal to the number of persons on board legally eligible to fish multiplied by 50. The captain or operator of the boat or vessel shall be responsible for any boat or vessel possession limit. Any scup taken after the possession limit has been reached shall be returned to the water immediately.*

VA.R. Doc. No. R00-145; Filed February 29, 2000, 2:56 p.m.

* * * * *

Title of Regulation: 4 VAC 20-950-10 et seq. Pertaining to Black Sea Bass (amending 4 VAC 20-950-45).

Statutory Authority: § 28.2-201 of the Code of Virginia.

Effective Date: March 1, 2000.

Summary:

The amendments lower the commercial possession limits on black sea bass for each three-month fishing quarter, remove the closed period on possession of recreationally harvested black sea bass, and establish a year-round recreational fishery.

Agency Contact: Copies of the regulation may be obtained from Deborah R. Cawthon, Regulatory Coordinator, Marine

Resources Commission, P.O. Box 756, Newport News, VA 23607, telephone (757) 247-2248.

4 VAC 20-950-45. Possession limits and harvest quotas.

A. During the period January 1 through March 31 of each year, it shall be unlawful for any person to possess aboard any vessel or to land in Virginia more than ~~44,000~~ 9,000 pounds of black sea bass, except when it is announced that the coastwide quota for this period has been reached.

B. During the period April 1 through June 30 of each year, it shall be unlawful for any person to possess aboard any vessel or to land in Virginia more than ~~7,000~~ 3,000 pounds of black sea bass, except when it is announced that the coastwide quota for this period has been reached.

C. During the period July 1 through September 30 of each year, it shall be unlawful for any person to possess aboard any vessel or to land in Virginia more than ~~3,000~~ 2,000 pounds of black sea bass, except when it is announced that the coastwide quota for this period has been reached.

D. During the period October 1 through December 31 of each year, it shall be unlawful for any person to possess aboard any vessel or to land in Virginia more than ~~4,000~~ 3,000 pounds of black sea bass, except when it is announced that the coastwide quota for this period has been reached.

E. It shall be unlawful for any person to possess or to land any black sea bass for commercial purposes after the coastwide quota for the designated period as described in subsections A through D of this section has been attained and announced as such.

F. It shall be unlawful for any buyer of seafood to receive any black sea bass after any commercial harvest quota has been attained and announced as such.

~~G. It shall be unlawful for any person to possess or to land any black sea bass for recreational purposes from August 1 through August 15 of each year.~~

~~H. G.~~ It shall be unlawful for any person fishing with hook and line, rod and reel, spear, gig or other recreational gear to possess more than 50 black sea bass. When fishing is from a boat or vessel where the entire catch is held in a common hold or container, the possession limit shall be for the boat or vessel and shall be equal to the number of persons on board legally eligible to fish multiplied by 50. The captain or operator of the boat or vessel shall be responsible for any boat or vessel possession limit. Any black sea bass taken after the possession limit has been reached shall be returned to the water immediately.

~~I. H.~~ Possession of any quantity of black sea bass which exceeds the possession limit described in subsection ~~H~~ G of this section shall be presumed to be for commercial purposes.

VA.R. Doc. No. R00-144; Filed February 29, 2000, 2:55 p.m.



TITLE 9. ENVIRONMENT

STATE AIR POLLUTION CONTROL BOARD

REGISTRAR'S NOTICE: The following regulation is exempt from the Administrative Process Act in accordance with § 9-6.14:4.1 C 4 (c) of the Code of Virginia, which excludes regulations that are necessary to meet the requirements of federal law or regulations, provided such regulations do not differ materially from those required by federal law or regulation. The State Air Pollution Control Board will receive, consider and respond to petitions by any interested person at any time with respect to reconsideration or revision.

Title of Regulation: **Regulations for the Control and Abatement of Air Pollution (Rev. C99).**

9 VAC 5-50-10 et seq. New and Modified Stationary Sources (amending 9 VAC 5-50-400).

9 VAC 5-60-10 et seq. Hazardous Air Pollutant Sources (amending 9 VAC 5-60-60, 9 VAC 5-60-90 and 9 VAC 5-60-100).

Statutory Authority: § 10.1-1308 of the Code of Virginia.

Effective Date: May 1, 2000.

Summary:

The amendments update state regulations that incorporate by reference certain federal regulations to reflect the Code of Federal Regulations as published on July 1, 1999. Below is a list of the new standards being incorporated into the state regulations by reference.

1. No new NSPSs are being incorporated; a number of dates are being updated.
2. No new NESHAPs are being incorporated; a number of dates are being updated.
3. Incorporation of 19 national emission standards for hazardous air pollutants for source categories (MACT) as follows:

- a. Subpart AA - Phosphoric Acid Manufacturing (40 CFR 63.600 through 40 CFR 63.610).
- b. Subpart BB - Phosphate Fertilizers Production (40 CFR 63.620 through 40 CFR 63.631).
- c. Subpart HH - Oil and Natural Gas Production Facilities (40 CFR 63.760 through 40 CFR 63.779).
- d. Subpart SS - Closed Vent Systems, Control Devices, Recovery Devices and Routing to a Fuel Gas System or a Process (40 CFR 63.980 through 40 CFR 63.999).
- e. Subpart TT - Equipment Leaks - Control Level 1 (40 CFR 63.1000 through 40 CFR 63.1018).
- f. Subpart UU - Equipment Leaks - Control Level 2 (40 CFR 63.1019 through 40 CFR 63.1039).
- g. Subpart WW - Storage Vessels (Tanks) - Control Level 2 (40 CFR 63.1060 through 40 CFR 63.1066).

h. Subpart YY - Generic Maximum Achievable Control Technology Standards (40 CFR 63.1100 through 40 CFR 63.1113).

i. Subpart CCC - Steel Pickling--Hydrogen Chloride Process Facilities and Hydrochloric Acid Regeneration Plants (40 CFR 63.1155 through 40 CFR 63.1174).

j. Subpart DDD - Mineral Wool Production (40 CFR 63.1175 through 40 CFR 63.1199).

k. Subpart GGG - Pharmaceutical Production (40 CFR 63.1250 through 40 CFR 63.1261).

l. Subpart HHH - Natural Gas Transmission and Storage Facilities (40 CFR 63.1270 through 40 CFR 63.1289).

m. Subpart III - Flexible Polyurethane Foam Production (40 CFR 63.1290 through 40 CFR 63.1309).

n. Subpart LLL - Portland Cement Manufacturing (40 CFR 63.1340 through 40 CFR 63.1359).

o. Subpart MMM - Pesticide Active Ingredient Production (40 CFR 63.1360 through 40 CFR 63.1369).

p. Subpart NNN - Wool Fiberglass Manufacturing (40 CFR 63.1380 through 40 CFR 63.1399).

q. Subpart PPP - Polyether Polyols Production (40 CFR 63.1420 through 40 CFR 63.1439).

r. Subpart TTT - Primary Lead Smelting (40 CFR 63.1541 through 40 CFR 63.1550).

s. Subpart XXX - Ferroalloys Production: Ferromanganese and Silicomanganese (40 CFR 63.1620 through 40 CFR 63.1679).

Agency Contact: Copies of the regulation may be obtained from Alma Jenkins, Office of Air Regulatory Development, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4070.

9 VAC 5-50-400. General.

The U.S. Environmental Protection Agency Regulations on Standards of Performance for New Stationary Sources (40 CFR Part 60) designated in 9 VAC 5-50-410 are, unless indicated otherwise, incorporated by reference into these regulations as amended by the word or phrase substitutions given in 9 VAC 5-50-420. The complete text of the subparts in 9 VAC 5-50-410 incorporated herein by reference is contained in 40 CFR Part 60. The 40 CFR section numbers appearing under each subpart in 9 VAC 5-50-410 identify the specific provisions of the subpart incorporated by reference. The specific version of the provision adopted by reference shall be that contained in the CFR (1998) (1999) in effect July 1, 1999. In making reference to the Code of Federal Regulations, 40 CFR Part 60 means Part 60 of Title 40 of the Code of Federal Regulations; 40 CFR 60.1 means § 60.1 in Part 60 of Title 40 of the Code of Federal Regulations.

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9 VAC 5-60-60. General.

The Environmental Protection Agency (EPA) Regulations on National Emission Standards for Hazardous Air Pollutants (40 CFR Part 61) designated in 9 VAC 5-60-70 are, unless indicated otherwise, incorporated by reference into these regulations as amended by the word or phrase substitutions given in 9 VAC 5-60-80. The complete text of the subparts in 9 VAC 5-60-70 incorporated herein by reference is contained in 40 CFR Part 61. The 40 CFR section numbers appearing under each Subpart in 9 VAC 5-60-70 identify the specific provisions of the Subpart incorporated by reference. The specific version of the provision adopted by reference shall be that contained in the CFR ~~(1998)~~ (1999) in effect July 1, ~~1998~~ 1999. In making reference to the Code of Federal Regulations, 40 CFR Part 61 means Part 61 of Title 40 of the Code of Federal Regulations; 40 CFR 61.01 means § 61.01 in Part 61 of Title 40 of the Code of Federal Regulations.

9 VAC 5-60-90. General.

The Environmental Protection Agency (EPA) National Emission Standards for Hazardous Air Pollutants for Source Categories (40 CFR Part 63) designated in 9 VAC 5-60-100 are, unless indicated otherwise, incorporated by reference into these regulations as amended by the word or phrase substitutions given in 9 VAC 5-60-110. The complete text of the subparts in 9 VAC 5-60-100 incorporated herein by reference is contained in 40 CFR Part 63. The 40 CFR section numbers appearing under each subpart in 9 VAC 5-60-100 identify the specific provisions of the subpart incorporated by reference. The specific version of the provision adopted by reference shall be that contained in the CFR ~~(1998)~~ (1999) in effect July 1, ~~1998~~ 1999. In making reference to the Code of Federal Regulations, 40 CFR Part 63 means Part 63 of Title 40 of the Code of Federal Regulations; 40 CFR 63.1 means Section 63.1 in Part 63 of Title 40 of the Code of Federal Regulations.

9 VAC 5-60-100. Designated emission standards.

Subpart A--General Provisions.

40 CFR 63.1 through 40 CFR 63.11
(applicability, definitions, units and abbreviations, prohibited activities and circumvention, construction and reconstruction, compliance with standards and maintenance requirements, performance testing requirements, monitoring requirements, notification requirements, recordkeeping and reporting requirements, control device requirements)

Subpart B--Not applicable.

Subpart C--Not applicable.

Subpart D--Not applicable.

Subpart E--Not applicable.

Subpart F--Organic Hazardous Air Pollutants From the Synthetic Organic Chemical Manufacturing Industry.

40 CFR 63.100 through 40 CFR 63.106
(chemical manufacturing process units that manufacture as a primary product one or more of a listed chemical; use as a reactant or manufacture as a product, by-product, or co-product, one or more of a listed organic

hazardous air pollutant; and are located at a plant site that is a major source as defined in § 112 of the federal Clean Air Act)

Subpart G--Organic Hazardous Air Pollutants From the Synthetic Organic Chemical Manufacturing Industry for Process Vents, Storage Vessels, Transfer Operations, and Wastewater.

40 CFR 63.110 through 40 CFR 63.152
(all process vents, storage vessels, transfer operations, and wastewater streams within a source subject to Subpart F, 40 CFR 63.100 through 40 CFR 63.106)

Subpart H--Organic Hazardous Air Pollutants for Equipment Leaks.

40 CFR 60.160 through 40 CFR 60.182
(pumps, compressors, agitators, pressure relief devices, sampling connection systems, open-ended valves or lines, valves, connectors, surge control vessels, bottoms receivers, instrumentation systems, and control devices or systems that are intended to operate in organic hazardous air pollutant service 300 hours or more during the calendar year within a source subject to the provisions of a specific subpart in 40 CFR Part 63)

Subpart I--Organic Hazardous Air Pollutants for Certain Processes Subject to the Negotiated Regulation for Equipment Leaks.

40 CFR 63.190 through 40 CFR 63.192
(emissions of designated organic hazardous air pollutants from processes specified in this subpart that are located at a plant site that is a major source as defined in § 112 of the federal Clean Air Act)

Subpart J--Reserved.

Subpart K--Reserved.

Subpart L--Coke Oven Batteries.

40 CFR 63.300 through 40 CFR 63.313
(existing by-product coke oven batteries at a coke plant, and existing nonrecovery coke oven batteries located at a coke plant)

Subpart M--Perchloroethylene Dry Cleaning Facilities

40 CFR 63.320 through 40 CFR 63.325
(each dry cleaning facility that uses perchloroethylene)

Subpart N--Chromium Emissions from Hard and Decorative Chromium Electroplating and Chromium Anodizing Tanks

40 CFR 63.340 through 40 CFR 63.347
(each chromium electroplating or chromium anodizing tank at facilities performing hard chromium electroplating, decorative chromium electroplating, or chromium anodizing)

Subpart O--Ethylene Oxide Commercial Sterilization and Fumigation Operations

40 CFR 63.360 through 40 CFR 63.367
(sterilization sources using ethylene oxide in sterilization or fumigation operations)

Subpart P--Reserved.

Subpart Q--Industrial Process Cooling Towers

40 CFR 63.400 through 40 CFR 63.406

(industrial process cooling towers that are operated with chromium-based water treatment chemicals)

Subpart R--Gasoline Distribution Facilities

40 CFR 63.420 through 40 CFR 63.429

(bulk gasoline terminals and pipeline breakout stations)

Subpart S--Pulp and Paper Industry

40 CFR 63.440 through 40 CFR 63.458

(processes that produce pulp, paper, or paperboard, and use the following processes and materials: kraft, soda, sulfite, or semi-chemical pulping processes using wood; or mechanical pulping processes using wood; or any process using secondary or nonwood fibers)

Subpart T--Halogenated Solvent Cleaning

40 CFR 63.460 through 40 CFR 63.469

(each individual batch vapor, in-line vapor, in-line cold, and batch cold solvent cleaning machine that uses any solvent containing methylene chloride, perchlorethylene, trichloroethylene, 1,1,1-trichloroethane, carbon tetrachloride, or chloroform)

Subpart U--Group I Polymers and Resins

40 CFR 63.480 through 40 CFR 63.506

(elastomer product process units that produce butyl rubber, halobutyl rubber, epichlorohydrin elastomers, ethylene propylene rubber, HypalonTM, neoprene, nitrile butadiene rubber, nitrile butadiene latex, polysulfide rubber, polybutadiene rubber/styrene butadiene rubber by solution, styrene butadiene latex, and styrene butadiene rubber by emulsion)

Subpart V--Reserved.

Subpart W--Epoxy Resins Production and Non-Nylon Polyamides Production

40 CFR 63.520 through 40 CFR 63.527

(manufacturers of basic liquid epoxy resins and wet strength resins)

Subpart X--Secondary Lead Smelting

40 CFR 63.541 through 40 CFR 63.550

(at all secondary lead smelters: blast, reverbatory, rotary, and electric smelting furnaces; refining kettles; agglomerating furnaces; dryers; process fugitive sources; and fugitive dust sources)

Subpart Y--Marine Tank Vessel Tank Loading Operations

40 CFR 63.560 through 40 CFR 63.567

(marine tank vessel unloading operations at petroleum refineries)

Subpart Z--Reserved.

Subpart AA--~~Reserved~~. Phosphoric Acid Manufacturing Plants

40 CFR 63.600 through 40 CFR 63.610

(wet-process phosphoric acid process lines, evaporative cooling towers, rock dryers, rock calciners, superphosphoric acid process lines, purified acid process lines)

Subpart BB--~~Reserved~~. Phosphate Fertilizers Production Plants

40 CFR 63.620 through 40 CFR 63.631

(diammonium and monoammonium phosphate process lines, granular triple superphosphate process lines, and granular triple superphosphate storage buildings)

Subpart CC--Petroleum Refineries

40 CFR 63.640 through 40 CFR 63.654

(storage tanks, equipment leaks, process vents, and wastewater collection and treatment systems at petroleum refineries)

Subpart DD--Off-Site Waste and Recovery Operations

40 CFR 63.680 through 40 CFR 63.697

(operations that treat, store, recycle, and dispose of waste received from other operations that produce waste or recoverable materials as part of their manufacturing processes)

Subpart EE--Magnetic Tape Manufacturing Operations

40 CFR 63.701 through 40 CFR 63.708

(manufacturers of magnetic tape)

Subpart FF--Reserved.

Subpart GG--Aerospace Manufacturing and Rework Facilities

40 CFR 63.740 through 40 CFR 63.752

(facilities engaged in the manufacture or rework of commercial, civil, or military aerospace vehicles or components)

Subpart HH--~~Reserved~~. Oil and Natural Gas Production Facilities

40 CFR 63.760 through 40 CFR 63.779

(facilities that process, upgrade, or store hydrocarbon liquids or natural gas; ancillary equipment and compressors intended to operate in volatile hazardous air pollutant service)

Subpart II--Shipbuilding and Ship Repair (Surface Coating)

40 CFR 63.780 through 40 CFR 63.788

(shipbuilding and ship repair operations)

Subpart JJ--Wood Furniture Manufacturing Operations

40 CFR 63.800 through 40 CFR 63.819

(finishing materials, adhesives, and strippable spray booth coatings; storage, transfer, and application of coatings and solvents)

Subpart KK--Printing and Publishing Industry

40 CFR 63.820 through 40 CFR 63.831

(publication rotogravure, product and packaging rotogravure, and wide-web printing processes)

Subpart LL--Primary Aluminum Reduction Plants

40 CFR 63.840 through 40 CFR 63.859

(each pitch storage tank, potline, paste production plant, or anode bulk furnace associated with primary aluminum production)

Subpart MM--Reserved.

Subpart NN--Reserved.

Subpart OO--Tanks--Level 1

40 CFR 63.900 through 40 CFR 63.907

(for off-site waste and recovery operations, fixed-roof tanks)

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Subpart PP--Containers

40 CFR 63.920 through 40 CFR 63.928
(for off-site waste and recovery operations, containers)

Subpart QQ--Surface Impoundments

40 CFR 63.940 through 40 CFR 63.948
(for off-site waste and recovery operations, surface impoundment covers and vents)

Subpart RR--Individual Drain Systems

40 CFR 63.960 through 40 CFR 63.966
(for off-site waste and recovery operations, inspection and maintenance of individual drain systems)

Subpart SS--~~Reserved~~. Closed Vent Systems, Control Devices, Recovery Devices and Routing to a Fuel Gas System or a Process

40 CFR 63.980 through 40 CFR 63.999
(closed vent systems, control devices, recovery devices, and routing to a fuel gas system or a process, when associated with facilities subject to a referencing subpart)

Subpart TT--~~Reserved~~. Equipment Leaks - Control Level 1

40 CFR 63.1000 through 40 CFR 63.1018
(control of air emissions from equipment leaks when associated with facilities subject to a referencing subpart)

Subpart UU--~~Reserved~~. Equipment Leaks - Control Level 2

40 CFR 63.1019 through 40 CFR 63.1039
(control of air emissions from equipment leaks when associated with facilities subject to a referencing subpart: pumps, compressors, agitators, pressure relief devices, sampling connection systems, open-ended valves or lines, valves, connectors, instrumentation systems, closed vent systems and control devices)

Subpart VV--Oil-Water Separators and Organic-Water Separators

40 CFR 63.1040 through 40 CFR 63.1049
(for off-site waste and recovery operations, oil-water separators and organic-water separator roofs and vents)

Subpart WW--~~Reserved~~. Storage Vessels (Tanks) - Control Level 2

40 CFR 63.1060 through 40 CFR 63.1066
(storage vessels associated with facilities subject to a referencing subpart)

Subpart XX--Reserved.

Subpart YY--~~Reserved~~. Generic Maximum Achievable Control Technology Standards

40 CFR 63.1100 through 40 CFR 63.1113
(acetal resins production, acrylic and modacrylic fibers production, hydrogen fluoride production, polycarbonate production)

Subpart ZZ--Reserved.

Subpart AAA--Reserved.

Subpart BBB--Reserved.

Subpart CCC--~~Reserved~~. Steel Pickling--Hydrogen Chloride Process Facilities and Hydrochloric Acid Regeneration Plants

40 CFR 63.1155 through 40 CFR 63.1174

(steel pickling facilities that pickle carbon steel using hydrochloric acid solution, hydrochloric acid regeneration plants)

Subpart DDD--~~Reserved~~. Mineral Wool Production

40 CFR 63.1175 through 63.1199
(cupolas and curing ovens at mineral wool manufacturing facilities)

Subpart EEE--Reserved.

Subpart FFF--Reserved.

Subpart GGG--~~Reserved~~. Pharmaceutical Production

40 CFR 63.1250 through 40 CFR 63.1261
(pharmaceutical manufacturing operations)

Subpart HHH--~~Reserved~~. Natural Gas Transmission and Storage Facilities

40 CFR 63.1270 through 40 CFR 63.1289
(natural gas transmission and storage facilities that transport or store natural gas prior to entering the pipeline to a local distribution company or to a final end user)

Subpart III--~~Reserved~~. Flexible Polyurethane Foam Production

40 CFR 63.1290 through 40 CFR 63.1309
(flexible polyurethane foam or rebond processes)

Subpart JJJ--Group IV Polymers and Resins

40 CFR 63.1310 through 40 CFR 63.1335
(facilities which manufacture acrylonitrile butadiene styrene resin, styrene acrylonitrile resin, methyl methacrylate butadiene styrene resin, polystyrene resin, poly(ethylene terephthalate) resin, or nitrile resin)

Subpart KKK--Reserved.

Subpart LLL--~~Reserved~~. Portland Cement Manufacturing

40 CFR 63.1340 through 40 CFR 63.1359
(kilns; in-line kilns/raw mills; clinker coolers; raw mills; finish mills; raw material dryers; raw material, clinker, or finished product storage bins; conveying system transfer points; bagging systems; bulk loading or unloading systems)

Subpart MMM--~~Reserved~~. Pesticide Active Ingredient Production

40 CFR 63.1360 through 40 CFR 63.1369
(pesticide active ingredient manufacturing process units, waste management units, heat exchange systems, and cooling towers)

Subpart NNN--~~Reserved~~. Wool Fiberglass Manufacturing

40 CFR 63.1380 through 40 CFR 63.1399
(glass melting furnaces, rotary spin wool fiberglass manufacturing lines producing bonded wool fiberglass building insulation or bonded heavy-density product)

Subpart OOO--Reserved.

Subpart PPP--~~Reserved~~. Polyether Polyols Production

40 CFR 63.1420 through 40 CFR 63.1439
(polyether polyol manufacturing process units)

Subpart QQQ--Reserved.

Subpart RRR--Reserved.

Subpart SSS--Reserved.

Subpart TTT--~~Reserved~~. *Primary Lead Smelting*
40 CFR 63.1541 through 40 CFR 63.1550
(*sinter machines, blast furnaces, dross furnaces, process*
fugitive sources, fugitive dust sources)

Subpart UUU--Reserved.

Subpart VVV--Reserved.

Subpart WWW--Reserved.

Subpart XXX--~~Reserved~~. *Ferroalloys Production:*
Ferromanganese and Silicomanganese
40 CFR 63.1620 through 40 CFR 63.1679
(*submerged arc furnaces, metal oxygen refining*
processes, crushing and screening operations, fugitive
dust sources)

Subpart YYY--Reserved.

Subpart ZZZ--Reserved.

Appendix A--Test Methods.

Appendix B--Sources Defined for Early Reduction Provisions.

Appendix C--Determination of the Fraction Biodegraded (F_{bio})
in a Biological Treatment Unit.

Appendix D--Alternative Validation Procedure for EPA Waste
and Wastewater Methods.

VA.R. Doc. No. R00-153; Filed March 8, 2000, 11:54 a.m.

TITLE 18. PROFESSIONAL AND OCCUPATIONAL LICENSING

DEPARTMENT OF PROFESSIONAL AND OCCUPATIONAL REGULATION

Title of Regulation: 18 VAC 120-10-10 et seq. **Public
Participation Guidelines** (amending 18 VAC 120-10-170;
repealing 18 VAC 120-10 through 18 VAC 120-10-90).

Statutory Authority: §§ 9-6.14:7.1 and 54.1-201 of the Code
of Virginia.

Effective Date: May 1, 2000.

Summary:

The amendments make technical changes to this regulation so that it will apply to all regulatory programs that are under the authority of the Director of the Department of Professional and Occupational Regulation rather than a regulatory board. The result will be that the regulation will apply to the newly created professional boxing and wrestling program, the polygraph examiners program, and any future programs assigned to the director.

Summary of Public Comments and Agency's Response: No public comments were received by the promulgating agency.

Agency Contact: Copies of the regulation may be obtained from Adrienne Mayo, Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, VA 23230, telephone (804) 367-8595.

PART I. EMPLOYMENT AGENCIES PROGRAM PUBLIC PARTICIPATION GUIDELINES.

18 VAC 120-10-10. Definitions. (Repealed.)

~~The following words and terms, when used in this chapter, shall have the following meanings unless the context clearly indicates otherwise:~~

~~"Agency" means any authority, instrumentality, officer, board, or other unit of state government empowered by the basic laws to make regulations or decide cases.~~

~~"Organization" means any one or more association, advisory council, committee, corporation, partnership, governmental body or legal entity.~~

~~"Person" means one or more individuals.~~

18 VAC 120-10-20. Mailing list. (Repealed.)

~~The agency will maintain a list of persons and organizations who will be mailed the following documents as they become available:~~

- ~~1. "Notice of Intended Regulatory Action" to promulgate, amend or repeal regulations.~~
- ~~2. "Notice of Comment Period" and public hearings.~~
- ~~3. Notice that the final regulations have been adopted.~~

~~Failure of these persons and organizations to receive the documents for any reason shall not affect the validity of any regulations otherwise properly adopted under the Administrative Process Act, § 9-6.14:7.1 of the Code of Virginia.~~

18 VAC 120-10-30. Placement on the mailing list; deletion. (Repealed.)

~~Any person wishing to be placed on the mailing list may do so by writing the agency. In addition, the agency, at its discretion, may add to the list any person, organization, or publication it believes will serve the purpose of responsible participation in the formation or promulgation of regulations. Persons on the list will be provided all information stated in 18 VAC 120-10-20. Individuals and organizations periodically may be requested to indicate their desire to continue to receive documents or be deleted from the list. When mail is returned as undeliverable, individuals and organizations will be deleted from the list.~~

18 VAC 120-10-40. Petition for rulemaking. (Repealed.)

~~Any person may petition the agency to adopt or amend any regulation. Any petition received shall appear on the next agenda of the agency. The agency shall consider and~~

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~~respond to the petition within 180 days. The agency shall have sole authority to dispose of the petition.~~

18 VAC 120-10-50. Notice of intent. (Repealed.)

~~At least 30 days prior to filing the "Notice of Comment Period" and proposed regulations as required by § 9-6.14:7.1 of the Code of Virginia, the agency will publish a "Notice of Intended Regulatory Action." This notice will provide for at least a 30-day comment period and shall state whether the agency intends to hold a public hearing. The agency is required to hold a hearing on the proposed regulation upon request by (i) the Governor or (ii) 25 or more persons. Further, the notice shall describe the subject matter and intent of the planned regulation. Such notice shall be transmitted to the Registrar of Regulations for inclusion in The Virginia Register of Regulations.~~

18 VAC 120-10-60. Informational proceedings or public hearings for existing rules. (Repealed.)

~~Within two years of the promulgation of a regulation, the agency shall evaluate it for effectiveness and continued need. The agency shall conduct an informal proceeding, which may take the form of a public hearing, to receive public comment on existing regulation. Notice of such proceedings shall be transmitted to the Registrar of Regulations for inclusion in The Virginia Register. Such proceedings may be held separately or in conjunction with other informational proceedings.~~

18 VAC 120-10-70. Notice of formulation and adoption. (Repealed.)

~~At any meeting of the agency or a subcommittee where it is anticipated the formation or adoption of regulation will occur, the subject matter shall be transmitted to the Registrar of Regulations for inclusion in The Virginia Register.~~

~~If there are one or more changes with substantial impact on a regulation, any person may petition the agency within 30 days from the publication of the final regulation to request an opportunity for oral or written submittals on the changes to the regulations. If the agency receives requests from at least 25 persons for an opportunity to make oral or written comment, the agency shall suspend the regulatory process for 30 days to solicit additional public comment, unless the agency determines that the changes made are minor or inconsequential in their impact.~~

~~If the Governor finds that one or more changes with substantial impact have been made to proposed regulation, he may suspend the regulatory process for 30 days to require the agency to solicit further public comment on the changes to the regulation.~~

~~A draft of the agency's summary description of public comment shall be sent by the agency to all public commenters on the proposed regulation at least five days before final adoption of the regulation.~~

18 VAC 120-10-80. Advisory committees. (Repealed.)

~~The agency intends to appoint advisory committees as it deems necessary to provide adequate participation in the formation, promulgation, adoption, and review of regulations. Such committees are particularly appropriate when other~~

~~interested parties may possess specific expertise in the area of proposed regulation. The advisory committee shall only provide recommendations to the agency and shall not participate in any final decision making actions on a regulation.~~

~~When identifying potential advisory committee members the agency may use the following:~~

- ~~1. Directories of organizations related to the profession;~~
- ~~2. Industry, professional and trade associations' mailing lists; and~~
- ~~3. Lists of persons who have previously participated in public proceedings concerning this or a related issue.~~

18 VAC 120-10-90. Applicability. (Repealed.)

~~18 VAC 120-10-20, 18 VAC 120-10-30, 18 VAC 120-10-40, 18 VAC 120-10-60, and 18 VAC 120-10-70 shall apply to all regulations promulgated and adopted in accordance with § 9-6.14:9 of the Code of Virginia except those regulations promulgated in accordance with § 9-6.14:4.1 of the Administrative Process Act.~~

PART II.

POLYGRAPH EXAMINERS PUBLIC PARTICIPATION GUIDELINES.

18 VAC 120-10-170. Advisory committees.

The agency intends to appoint advisory committees *or task forces (committees)* as it deems necessary to provide adequate participation in the formation, promulgation, adoption, and review of regulations. Such committees are particularly appropriate when other interested parties may possess specific expertise in the area of proposed regulation. The ~~advisory committee~~ *committees* shall only provide recommendations to the agency and shall not participate in any final decision-making actions on a regulation.

When identifying potential advisory committee members, the agency may use the following:

1. Directories of organizations related to the profession;
2. Industry, professional and trade associations' mailing lists; and
3. Lists of persons who have previously participated in public proceedings concerning this or a related issue.

VA.R. Doc. No. R98-251; Filed February 29, 2000, 12:35 p.m.

BOARD FOR WASTE MANAGEMENT FACILITY OPERATORS

Title of Regulation: **18 VAC 155-20-10 et seq. Waste Management Facility Operators Regulations (amending 18 VAC 155-20-10 through 18 VAC 155-20-50, 18 VAC 155-20-100 through 18 VAC 155-20-160, 18 VAC 155-20-180 through 18 VAC 155-20-230, and 18 VAC 155-20-280; [adding 18 VAC 155-20-175; and] repealing 18 VAC 155-20-60 through 18 VAC 155-20-90, 18 VAC 155-20-170, 18 VAC 155-20-240 through 18 VAC 155-20-270, and 18 VAC 155-20-290).**

Statutory Authority: § 54.1-2211 of the Code of Virginia.

Effective Date: May 1, 2000.

Summary:

The amendments revise definitions, delete the interim certification provisions (which were sunsetted in the language of the current regulation), delete the Class V license provisions, empower one license to be issued with all qualifying classifications, revise the continuing education requirements, and delete the continuing professional education sponsor approval provisions.

Summary of Public Comments and Agency's Response: A summary of comments made by the public may be obtained from the promulgating agency or viewed at the office of the Registrar of Regulations.

Agency Contact: Copies of the regulation may be obtained from Adrienne Mayo, Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, VA 23230, telephone (804) 367-8595.

18 VAC 155-20-10. Definitions.

The following words and terms, when used in this chapter, shall have the following meanings, unless the context clearly indicates otherwise:

"Board" means the Board for Waste Management Facility Operators.

~~"Board-approved CPE sponsor" means a person approved by the board to offer continuing education in accordance with this chapter.~~

"Board-approved training course" means a course which has been approved by the board to provide appropriate training to an applicant in accordance with this chapter.

~~"Class I certification license"~~ means the authorization from the board to act as a waste management facility operator of a transfer station, a material recovery facility receiving mixed waste, an experimental facility, or a composting facility receiving yard waste.

~~"Class II certification license"~~ means the authorization from the board to act as a waste management facility operator of a facility which composts municipal solid waste, a sanitary, industrial, construction or debris landfill.

~~"Class III certification license"~~ means the authorization from the board to act as a waste management facility operator of an infectious waste incinerator or autoclave.

~~"Class IV certification license"~~ means the authorization from the board to act as a waste management facility operator of a municipal waste combustor.

~~"Class V certification" means the authorization from the board to act as a waste management facility operator for any of the facilities defined in Class I, II, III or IV certification.~~

"Closed facility" means a solid waste management facility which has been properly secured in accordance with an approved facility closure plan.

"Closure" means an act of securing a solid waste management facility pursuant to the requirements established by the Virginia Department of Environmental Quality or appropriate regulatory authority.

[*"Contact hour"* means 50 minutes of participation in a group program or 60 minutes of completion time for a project.]

~~"Continuing Professional Education (CPE)" means an integral part of lifelong learning required to provide competent service to the public; the formal set of activities that enables certified solid waste management facility operators to maintain and increase their professional competence.~~

[*"Continuing professional education/training (CPE/T)" means an integral part of the lifelong learning process that enables a licensed solid waste management facility operator to maintain and increase the competence required to assure the public's protection, which shall be pursued through an organized program or project in compliance with this chapter.*]

~~"CPE credit hour" means 50 minutes of participation as a student or as an instructor in a CPE program.~~

"Department" means the Department of Professional and Occupational Regulation.

~~"Experience for Class I, II, III or IV certification" means, but shall not be limited to, the following activities: supervision, research, construction, project development, site development, compliance and enforcement of a permit or regulations, operation, or regulatory review of permit applications.~~

~~"Experience for interim certification" means skill or knowledge obtained by employment which includes responsible, technical, or operational direction of a solid waste management facility or a portion thereof.~~

~~"Full certification" means an authorization issued by the board to a waste management facility operator after the completion of training and examination, through reciprocity or experience.~~

"Full-time employment" means 1,760 hours per year or 220 work days per year.

"In charge" means the designation of any person by the owner to have duty and authority to operate or modify the operation of a waste management facility.

~~"Interim certification" means the method of regulation for a temporary time period whereby the Commonwealth, through the issuance of interim certification, authorizes a person possessing the minimum skills to engage in the practice of a profession or occupation which is unlawful to practice without certification.~~

"License" means an authorization issued by the board to [an individual to practice as] a waste management facility operator [~~after the completion of training and examination, through reciprocity or experience~~ who meets the provisions of this chapter].

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"Municipal waste combustor" means a mass burn or a refuse derived fuel incinerator or facility designed or modified for the purpose of noninfectious solid waste combustion.

"Operation" means any waste management facility which is under construction, treating, processing, storing or disposing of solid waste, or in the act of securing a facility for closure.

["Organized program" means a formal learning process designed to permit a participant to learn a given subject or subjects through interaction with an instructor in a formal course, seminar or conference.]

"Owner" means the person who owns a solid waste management facility or part of a solid waste management facility.

*"Person" means an individual, corporation, partnership, association, governmental body, municipal corporation or any other legal entity.

["Project" means a learning process designed to permit a participant to perform work assigned by the owner, operator or manager of a waste management facility under the supervision of a knowledgeable person that results in a specific, predetermined end result and that increases the participant's competence to practice as a waste management facility operator.]

"Site" means within the vicinity of all land and structures, other appurtenances, and improvements thereon used for treating, storing, and disposing of solid waste. This term includes adjacent land within the property boundary used for the utility systems such as repair, storage, shipping or processing areas, or other areas incident to the management of solid waste.

"Solid waste" means any of those materials defined as nonhazardous solid waste in regulations promulgated by the Virginia Department of Environmental Quality.

"Storage" means housing a solid waste as consistent with the regulations of the Virginia Waste Management Board.

"Substantial change" means a deviation from a specific course that decreases the approved time of the course by more than 30 minutes or modifies the topics of the approved course [, ~~where they are~~ to] below the target levels of knowledge, as stated in the course application.

*"Waste management facility" means a site used for planned treatment, storage, or disposal of nonhazardous solid waste.

*"Waste management facility operator" means any person, including an owner, who is in charge of the actual, on-site operation of a waste management facility during any period of operation.

* As defined by Chapter 22.1 (§ 54.1-2209 et seq.) of Title 54.1 of the Code of Virginia.

18 VAC 155-20-20. ~~Certification~~ License required.

For the purposes of this chapter, the individual acting as a waste management facility operator is an individual employed or contracted by the facility owner whose responsibilities

include supervision of on-site activities ~~that normally require an individual to be at the waste management facility on each day of operation. This is not intended to include individuals whose duties do not include the actual operation or direct supervision of a waste management facility [and] who, on and after January 1, 1993, has been licensed by the Board for Waste Management Facility Operators or is under the direct supervision of a waste management facility operator licensed by the Board for Waste Management Facility Operators.~~

18 VAC 155-20-30. Disclosure.

A. Any individual seeking ~~certification~~ licensure shall disclose [~~on the application~~] any other operator or related ~~certification license~~ issued by any other state(s) [~~on the provided application~~].

B. Any individual seeking ~~certification~~ licensure shall disclose on the application any felony convictions or [~~any~~] final order actions issued by an administrative body or court regarding environmental violations or crimes resulting in the significant harm or the imminent and substantial threat of significant harm to human health or the environment.

C. ~~Any certified operator~~ Each licensee shall notify the board in writing within 30 days of any felony convictions or final order actions issued by an administrative body or court regarding environmental violations or crimes resulting in the significant harm or the imminent and substantial threat of significant harm to human health or the environment.

18 VAC 155-20-40. Fees.

A. All fees are nonrefundable and shall not be prorated.

B. An application shall not be deemed complete and shall not be processed without the required fee.

1. The application fee for ~~full~~ licensure shall be \$75.

2. The fee for renewal of ~~full~~ licensure shall be \$50.

3. The fee for late renewal of ~~full~~ licensure shall be \$75 ~~as stated in 18 VAC 155-20-180.~~

4. The fee for reinstatement of ~~full~~ licensure shall be \$125 ~~as stated in 18 VAC 155-20-190.~~

5. The fee for taking the examination or reexamination for licensure shall be \$150. This examination fee is subject to fees charged to the department by an outside vendor competitively negotiated and contracted for in compliance with the Virginia Public Procurement Act (§ 11-35 et seq. of the Code of Virginia). Fees may be adjusted and charged to the candidate in accordance with this contract.

6. The application fee for training course approval shall be \$125.

7. ~~There shall be no fee charged for an application for a CPE sponsor approval.~~

8. ~~The fee for interim licensure shall be \$85.~~

9. ~~The fee for renewal of interim licensure shall be \$85.~~

~~40- 7. The fee for paying any of the above fees with a check or other instrument not honored by the bank or other financial institution upon which it is drawn shall be \$25.~~

C. All checks shall be made payable to the Treasurer of Virginia.

D. Receipt and deposit of fees submitted with applications do not indicate licensure.

18 VAC 155-20-50. Change of status.

~~A. The certified individual~~ *Each licensee* shall provide written notification of any change of address to the department within 30 days.

~~B. The certified individual~~ *Each licensee* shall provide written notification and proof of any change of name [*to the department*] within 30 days.

C. The ~~certification~~ *license* issued by the board shall not be transferred or otherwise reassigned.

PART II.

INTERIM CERTIFICATION.

18 VAC 155-20-60. Entry. (Repealed.)

~~A. All individuals acting as a waste management facility operator in the Commonwealth after January 1, 1993, shall hold a valid interim certification or full certification specific to the class of their facility.~~

~~B. Interim certificates issued under the emergency Waste Management Facility Operator Regulations will remain valid through December 31, 1993. Individuals holding interim certificates may renew the certificate until December 31, 1994, or apply for full certification, meeting the standards established by 18 VAC 155-20-100 of this chapter.~~

~~C. Operators securing a facility for closure may renew their interim certification until December 31, 1994. Operators securing a facility for closure after December 31, 1994, shall hold full certification in the appropriate classification.~~

~~D. Closed facilities are not required to have a certified waste management facility operator.~~

~~E. The holder of the certification is not automatically entitled to any subsequent certification upon the expiration of the certificate, but shall meet the standards established by the board to renew the certification.~~

~~F. The board may extend any or all interim certifications expiring on December 31, 1994, to expire on any date after December 31, 1994, and before July 1, 1995.~~

18 VAC 155-20-70. Qualifications for interim certification. (Repealed.)

~~The board shall issue interim certification only after an individual has met, through a completed application and addendum, all education and experience requirements set forth in this chapter.~~

~~1. All individuals seeking interim certification shall be at least 18 years of age.~~

~~2. All individuals seeking interim certification shall meet one of the following requirements:~~

~~a. Three years of full-time employment which includes supervisory or operational experience managing a waste management facility since January 1989.~~

~~b. Two years of full-time employment which includes supervisory or operational experience managing a waste management facility since January 1989 and a high school diploma or GED.~~

~~c. One year of full-time employment which includes supervisory or operational experience managing a waste management facility since January 1989 and an Associate's Degree or at least 60 completed semester hours or equivalent from an accredited institution of higher learning.~~

~~d. Six months of full-time employment which includes supervisory or operational experience managing a waste management facility since January 1989 and a Bachelor's Degree.~~

~~3. For the purposes of this chapter, a year of full-time employment is defined as 1,760 hours per year or 220 work days per year.~~

~~4. For the purposes of this chapter, experience requirements claimed on the application for interim certification shall be verified by the individual's supervisor(s) or personnel officer on the form provided. Individuals who are under contract with a facility owner may obtain a letter from the facility owner to verify experience.~~

~~5. For the purposes of this chapter, education requirements claimed on the application for interim certification shall be verified by the attendee's educational institution or authorizing jurisdiction on the provided form or in the form of an official transcript. Diplomas will not be accepted for verification of degree or graduation.~~

18 VAC 155-20-80. Application procedures for interim certification. (Repealed.)

~~A. Applicants for interim certification shall complete a general application form and all applicable addendum forms. The applications for interim certification are available from the department upon request. Addendum forms shall include but not be limited to:~~

~~1. Verification of experience form; and~~

~~2. Verification of degree or graduation form.~~

~~B. Failure to provide a complete application and all applicable addenda may result in a denial of approval. The failure to provide complete information may be interpreted as misrepresentation and may result in disciplinary action as defined in Part VIII of this chapter.~~

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PART III. RENEWAL OF INTERIM CERTIFICATION.

18 VAC 155-20-90. ~~Procedures for renewal. (Repealed.)~~

~~A. Operators may renew their interim certification until December 31, 1994, or may apply for full certification if all requirements under 18 VAC 155-20-100 of this chapter can be met before the interim certificate's expiration.~~

~~B. Interim certified operators shall be notified by the department by mail of the renewal fee and procedures for certificate renewal.~~

~~C. Each operator desiring to renew his interim certification shall submit the renewal notice and the appropriate fee before the certification expires. A copy of the certificate may be submitted in lieu of the renewal notice.~~

~~D. The renewed interim certificate shall expire on December 31, 1994, unless a later date is specifically established by the board under the provisions of 18 VAC 155-20-60 F of this chapter. Any individual granted an interim certification who desires to act as a waste management facility operator after December 31, 1994, or after any later date which may be specifically granted by the board under the provisions of 18 VAC 155-20-60 of this chapter, shall apply for full certification in the appropriate classification as defined in 18 VAC 155-20-100 of this chapter.~~

~~E. Failure to receive written notice from the Department of Professional and Occupational Regulation does not relieve the regulant from the requirement to renew his certificate or apply for full certification.~~

PART IV. II. FULL CERTIFICATION LICENSURE.

18 VAC 155-20-100. ~~Full certification~~ **Licensure required.**

~~Full certification~~ **Licensure** is required for all individuals acting as waste management facility operators after December 31, 1994, unless an extension of the interim certification expiration date is granted by the board *June 30, 1995*.

18 VAC 155-20-110. ~~Classification for full certification~~ **License classification.**

A. The applicant shall apply for *at least* one classification of ~~certification~~ **license** as outlined below:

1. An individual operating a facility which is defined by the Department of Environmental Quality as a transfer station, a material recovery facility receiving mixed waste, an experimental facility, or a composting facility receiving yard waste shall hold a Class I ~~certification~~ **license**. An individual who has obtained [a] Class II, III or IV ~~certification~~ [**license**] may also operate a facility listed under Class I, if the individual has completed the board-approved basic training course.

2. An individual operating a facility which composts municipal solid waste, or is defined by the Department of Environmental Quality as a sanitary, industrial, construction or debris landfill [,] shall hold a Class II ~~or Class V certification~~ **license**.

3. An individual operating a facility defined by the Department of Environmental Quality as an infectious waste incinerator or an autoclave shall hold a Class III ~~or Class V certification~~ **license**.

4. An individual operating a facility defined by the Department of Environmental Quality as a municipal waste combustor shall hold a Class IV ~~or Class V certification~~ **license**.

5. An individual operating any of the facilities outlined in this section may hold Class V certification.

B. ~~No certified operator~~ A licensee may *not* operate a facility *outside of his classification* other than that defined by subdivision A 1 of this section ~~outside of his classification~~.

18 VAC 155-20-120. ~~Qualifications for certification~~ **licensure.**

A. The board shall issue ~~certification~~ a **license** only after an individual has met, through a completed application and addendum, all training, testing, and experience requirements for a *at least one* specific class as set forth in this chapter.

B. The ~~operator applicant~~ shall meet the following requirements for ~~certification~~ **licensure** for all classes of ~~certification~~ **licenses**:

1. The applicant shall be at least 18 years of age.

2. The applicant shall provide proof of ~~graduation from high school, or college graduation, or have successfully completed and received of having a GED General Equivalency Diploma (GED).~~

3. ~~If the~~ An applicant who cannot fulfill the requirement outlined in subdivision B 2 of this section, ~~the applicant~~ shall document at least five years of verified experience with a waste management facility, with at least three years of experience ~~since January 1, 1988~~ [, which ~~includes in~~] *at least one* of the following activities:

- a. Supervision;
- b. Research;
- c. Construction;
- d. Project development;
- e. Site development;
- f. Compliance and enforcement of a permit or regulations;
- g. Operation; or
- h. Review of materials for permitting purposes.

4. All applicants shall successfully complete the basic training course as defined in 18 VAC 155-20-220 B ~~of this chapter~~.

5. An applicant may use employment responsibilities in lieu of facility specific training as defined in subsections D through ~~G~~ F of this section; provided that:

- a. The applicant has been a full-time employee ~~for seven years, with at least three years of employment~~

~~since January 1, 1988, at a waste facility specific to the desired [license] classification for at least three of the past seven years.~~

b. The employment responsibilities include [*at least one of*] those activities enumerated in subdivision 3 of this subsection; ~~and.~~

~~c. The three years employment responsibilities are specific to the desired classification.~~

~~For the purposes of this subsection, full-time employment is defined as 1,760 hours per year or 220 work days per year.~~

6. The board will accept facility specific training provided that: (i) the training has been approved by the board pursuant to 18 VAC 155-20-230; and (ii) the training was successfully completed after January 1, 1989.

7. Experience requirements claimed on the application for ~~certification licensure~~ shall be verified by the individual's supervisor(s) or personnel officer. Individuals who are under contract with a facility owner may obtain a letter from the facility owner to verify experience.

8. Education requirements claimed on the application for ~~certification licensure~~ shall be verified by the attendee's educational institution or authorizing jurisdiction on the provided form or in the form of an official transcript or letter. Diplomas will not be accepted for verification of degree or graduation.

9. The applicant holding a valid ~~certification license~~ from another state or jurisdiction may qualify by reciprocity under the provisions of 18 VAC 155-20-150 ~~of this chapter.~~

C. The specific requirements for Class I ~~certification licensure~~ [~~follow are as follows~~]:

1. Complete a board-approved basic training course; and
2. Pass the board-approved examination for Class I.

D. The specific requirements for Class II ~~certification licensure~~ [~~follow are as follows~~]:

1. Complete a board-approved basic training course and an approved training course specific to Class II facilities; and
2. Pass the board-approved examination for Class II.

E. The specific requirements for Class III ~~certification licensure~~ [~~follow are as follows~~]:

1. Complete a board-approved basic training course and an approved training course specific to Class III facilities [~~;~~] and [*pass the board-approved examination for Class III; or*]
2. [~~Pass the board-approved examination for Class III, or~~] 3. Complete the training and examination requirement of a federal or state agency under the *federal Clean Air Act Amendments of 1990, as amended, as of the date applicable to an interpretation of a regulation or adjudication of a case decision* and

complete the board-approved basic training course within one year after ~~certification licensure~~.

F. The specific requirements for Class IV ~~certification licensure~~ [~~follow are as follows~~]:

1. Complete a board-approved basic training course and an approved training course specific to Class IV facilities [~~;~~] and [*pass the board-approved examination for Class IV; or*]

2. [~~Pass the board-approved examination for Class IV, or~~] 3. Complete the training and examination requirement of a federal or state agency under the *federal Clean Air Act Amendments of 1990, as amended, as of the date applicable to an interpretation of a regulation or adjudication of a case decision* and complete the board-approved basic training course within one year after ~~certification licensure~~.

G. The specific requirements for Class V ~~certification~~ follow:

1. ~~Complete a board-approved basic training course and approved training courses specific to all designated classifications of facilities; and~~

2. ~~Pass the board-approved examinations for Classes II, III and IV.~~

18 VAC 155-20-130. Application procedures.

~~A. Applicants for certification shall complete a general application form and all applicable addendum forms. The applications are provided by the department upon request. Addendum forms shall include, but not be limited to:~~

1. ~~Verification of experience form; and~~
2. ~~Verification of degree or graduation form.~~

~~B. A. Application shall be made on forms supplied by the department, and application forms shall be completed in accordance with the instructions on the forms. Failure to provide a complete application and all applicable addenda may result in a denial of approval. The failure to provide complete information may be interpreted as misrepresentation and may result in disciplinary action as defined in Part VIII of this chapter by 18 VAC 155-20-280.~~

~~B. Those already licensed who desire to add another classification or classifications to their license shall apply under the provisions of 18 VAC 155-20-110.~~

18 VAC 155-20-140. Examinations.

A. Initial examination.

1. An individual may not take the board-approved examination until all training requirements have been completed and [*are*] verified to the board unless exempt under 18 VAC 155-20-120 B 5 ~~of this chapter.~~

2. All applicants approved for the examination by the board will be notified in writing with a request for the examination fee defined in 18 VAC 155-20-40 B 5 ~~of this chapter.~~ The applicant will be scheduled for the next available examination upon receipt of the examination fee.

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3. The examination fee will be required at least 30 days before the scheduled date of the examination.

4. All applicants shall achieve a passing score on the examination as determined by the board.

5. An individual unable to take an examination at the time scheduled shall notify the board prior to the date of the examination; such an individual shall be rescheduled for the next examination. Failure to notify the board may require the submittal of a new examination fee.

B. Reexamination.

1. An individual may retake the board-approved examination as many times as necessary to pass except those who have been waived from training requirements.

2. If the applicant has been waived from training under 18 VAC 155-20-120 B 5 of this chapter and fails, the applicant may retake the examination once. After failing twice, the applicant shall complete the required training before retaking the examination.

3. Reexamination shall require the submission of the reexamination fee as defined in 18 VAC 155-20-40 B 5 of this chapter.

18 VAC 155-20-150. Reciprocity.

A. Any individual holding [a] valid ~~certification~~ license [under in] another state may apply for ~~certification~~ licensure based on reciprocity.

B. The board will certify an individual who submits a completed application and the initial application fee and is in compliance with 18 VAC 155-20-280 of this chapter.

C. All applicants ~~certified~~ licensed through reciprocity shall complete the basic training course within one year of ~~certification~~ after [licensure being licensed in Virginia].

D. If the ~~certified operator~~ licensee fails to complete the basic course and [fails to] properly notify the board [of such failure] within one year of ~~certification~~ after licensure, the board may begin disciplinary action to suspend or revoke the ~~certification~~ license.

PART V. III.

RENEWAL OF FULL CERTIFICATION LICENSE.

18 VAC 155-20-160. Procedures for renewal.

A. ~~Certificates~~ Licenses issued under this chapter shall expire biennially ~~on the last calendar day of the month.~~ ~~Certificate holders~~ Licensees shall be notified by mail of the fee and the procedures for ~~certificate~~ license renewal. Each ~~certificate holder~~ licensee desiring to renew ~~the certificate~~ his license shall ~~submit ensure that the department receives the renewal notice, verification of continuing education on the form provided by the department, [, evidence of completion of continuing professional education/training,] and the appropriate fee before the certificate license expires.~~

~~B. There shall be a penalty for late renewal assessed in addition to the renewal fee for any certificate holder failing to~~

~~renew the certificate within 30 days following the date of expiration.~~

~~B. For the purposes of the first renewal after [insert the effective date of this regulation May 1, 2000], the expiration date of all licenses issued to a single individual shall be the expiration date on the license most recently issued to or renewed for that individual. Each license issued after [insert the effective date of this regulation May 1, 2000,] shall indicate the class or classes of licensure held by the licensee.~~

~~C. Licenses shall be renewed for a period of 24 months from the date of the expiring license.~~

~~G. D. Failure to receive written notice from the department of Professional and Occupational Regulation does not relieve the regulant from the requirement to renew his certificate license. If the certificate license holder fails to receive the renewal notice, a copy of the certificate license may be submitted with verification of continuing education requirements and [evidence of completion of the continuing education/training and] the appropriate fee.~~

~~D. E. The date the required fee is received by the department of Professional and Occupational Regulation, or its agent, will be used to determine whether a penalty fee or the requirement for reinstatement of a certificate license is applicable.~~

~~E. F. Revoked or suspended certificates licenses are not renewable until reinstated by the board.~~

18 VAC 155-20-170. Continuing education. (Repealed.)

~~All applicants for certification renewal shall complete at least 10 hours of continuing education in accordance with 18 VAC 155-20-240 during the term of their expiring certification, except that no continuing education shall be required for the first renewal after the issuance of the initial certification.~~

[18 VAC 155-20-175. Continuing professional education/training.

~~A. Each applicant for license renewal shall provide evidence of the completion of at least eight contact hours of continuing professional education/training, as defined in 18 VAC 155-20-10 and in accordance with this section, except that no continuing professional education/training shall be required for the first renewal after the issuance of the initial license to an individual.~~

~~B. All CPE/T contact hours must be specific to the operation of a waste management facility.~~

~~C. Renewal applicants shall submit one or both of the following to document completion of the hours of CPE/T required by subsection A of this section:~~

~~1. For an organized program, a document with:~~

~~a. The name, address and telephone number of the sponsor;~~

~~b. The date(s) the applicant participated in the organized program;~~

c. A copy of the syllabus or other descriptive material of the information presented during the organized program; and

d. Verification of the number of contact hours completed that were specific to the operation of a waste management facility.

2. For a project, a document with:

a. The name and address of the waste management facility where the project was conducted;

b. The name of the owner, operator or manager of the facility who assigned the project;

c. The name, address and telephone number of the knowledgeable person assigned to supervise the license renewal applicant during the project;

d. A brief description of how the project's specific predetermined end result increased the license renewal applicant's competence; and

e. A statement of the number of contact hours required for the license renewal applicant to satisfactorily complete the project, which is signed by the owner, operator or manager of the facility where the project was conducted or by the knowledgeable person supervising the project.

D. The board shall advise the license renewal applicant of the approval of his CPE/T by issuing the renewed license provided all of the other renewal requirements of this chapter have been met. The board shall advise the license renewal applicant in writing of the deficiencies it finds in the CPE/T submitted and shall allow a reasonable amount of time for the renewal applicant to correct the deficiencies and respond.

E. Each licensee shall maintain evidence of the satisfactory completion of CPE/T for a period of three years. Such documentation shall be in the form required by subsection C of this section and shall be provided to the board or its duly authorized agents upon request.

F. CPE/T contact hours taken after the expiration of the individual's license to meet the CPE/T requirement of the prior license term shall not be reported for any future renewal.]

18 VAC 155-20-180. Late renewal.

If the renewal fee [,] as provided for in 18 VAC 155-20-40 B 2 [,] of this chapter is not received by the department of Professional and Occupational Regulation within 30 days after the expiration date noted on the certification license, the late renewal fee provided for in 18 VAC 155-20-40 B 3 shall be required.

18 VAC 155-20-190. Reinstatements.

If the ~~certificate holder~~ licensee fails to renew the ~~certificate~~ his license within six months following the expiration date, the ~~certificate holder will~~ licensee shall be required to apply for reinstatement of the ~~certificate~~ license. The applicant will be required to present reasons that the ~~certificate~~ license was allowed to expire, and the board may grant reinstatement of the ~~certificate~~ license or require requalification or

reexamination or both. The application fee for reinstatement of a ~~certificate~~ license shall be the amount provided for in 18 VAC 155-20-40 B 4 of this chapter. An individual who has not [been] reinstated within two years of after expiration of the ~~certification~~ license must reapply as a new applicant. The new applicant shall be ~~exempted from the required training~~ but provide evidence of satisfactory completion of the training course(s) required by this chapter and shall pass the examination as determined by the board.

18 VAC 155-20-200. Board discretion to deny renewal or reinstatement.

The board may deny renewal or reinstatement of a ~~certificate~~ license for the same reasons as it may refuse an initial ~~certification~~ license or discipline a ~~certificate holder~~ licensee.

18 VAC 155-20-210. Status of ~~certification~~ licensure during the period prior to reinstatement.

A. Reinstated ~~certifications~~ licenses shall continue to have the same ~~certification~~ license number and shall be assigned an expiration date two years from the previous expiration date of the ~~certification~~ license.

B. Reinstated ~~certifications~~ licenses shall be regarded as having been continuously licensed without interruption. Therefore, the holder of the reinstated ~~certification~~ license shall remain under the disciplinary authority of the board during this entire period and may be held accountable for his activities during this period.

C. ~~Certifications~~ Licenses which are not renewed or reinstated shall be regarded as expired from the date of the expiration forward.

D. Nothing in this chapter shall divest the board of its authority to take disciplinary action for a violation of the law or regulations during the period of time for which an individual was ~~certified~~ licensed.

PART ~~VI~~ IV.

TRAINING REQUIREMENTS FOR FULL CERTIFICATION.

18 VAC 155-20-220. Training requirements course curriculum.

A. All individuals seeking to become a ~~certified solid waste management facility operator~~ shall complete a Virginia Board for Waste Management Facility Operators approved training course(s). This section may be waived if the individual is applying for certification through reciprocity or under 18 VAC ~~155-20-120 B 5~~. The board shall approve only training courses which document that their instruction meets the minimum curriculum standards contained in this section.

B. A board-approved basic training course shall at a minimum include the following topics as they relate to nonhazardous solid waste management facilities:

1. Definitions.
2. Authority for regulations.
3. Purpose of regulations.
4. Administration of regulations.

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5. Applicability of regulations.

6. Prohibitions.

7. Open dumps.

8. Unpermitted facilities.

9. Enforcement and appeal.

10. Penalties and enforcement.

11. Public participation.

12. Relationship with other regulations promulgated by the Virginia Waste Management Board.

13. Identification of solid waste.

a. Purpose and scope.

b. Definitions of solid waste.

c. Special wastes.

d. Exclusions.

e. Conditional exemptions.

14. Overview of open dumps and unpermitted facilities.

15. Permitting of solid waste management facilities.

16. Review of Department of Environmental Quality Inspection Form.

17. Overview of permitted solid waste management facilities.

a. Transfer stations.

b. Material recovery facilities.

c. Experimental facilities.

d. Sanitary landfills.

e. Infectious waste incinerators.

f. Mass burn facilities.

g. Refuse derived fuel facilities.

h. Autoclaves.

18. Overview of general OSHA requirements.

19. Neighbor relations.

20. Recordkeeping and financial assurance.

C. A board-approved training course specific to Class II facilities shall include at a minimum the following topics:

1. Definitions.

2. Special wastes.

a. General.

b. Asbestos wastes.

c. Wastes containing polychlorinated biphenyls.

d. Liquids.

e. Tires.

f. Drums.

g. White goods.

h. Soil contaminated with petroleum products.

i. Lead acid batteries.

j. Other prohibited wastes.

k. Hazardous wastes.

l. Screening for prohibited wastes.

m. Handling procedures for special or hazardous wastes.

n. Recordkeeping and notification requirements.

3. Solid waste disposal standards.

a. General standards for sanitary landfills.

b. Design/construction.

c. Operation.

d. Groundwater monitoring.

e. Closure.

f. Post-closure care requirements.

g. Control of decomposition gases.

h. Leachate control system and monitoring.

i. Leachate control system appurtenances.

j. Corrective action program.

4. Construction/demolition debris standards.

5. Industrial waste disposal standards.

6. Other solid waste management facility standards.

a. Compost facilities.

b. Surface impoundments and lagoons.

c. Waste piles.

d. Miscellaneous units.

7. Permitting of solid waste management facilities.

8. Financial assurance documentation.

9. Rulemaking petitions and procedures.

D. A board-approved training course [*for specific to*] Class III [~~specific management facility~~ *facilities*] shall include at a minimum the following topics:

1. Identification and listing of infectious waste.

a. General.

b. Exemption to regulations.

c. Exclusions.

d. Characteristics of infectious waste.

- e. Controlled infectious waste.
- 2. General requirements.
 - a. Permits and permits by rule.
 - b. Financial assurance requirements.
 - c. Packaging and labeling requirements.
 - d. Management of spills.
 - e. Closure requirements.
 - f. Methods of treatment and disposal.
 - g. Approved test method.
 - h. Recordkeeping requirements.
- 3. Requirements for storage facilities.
 - a. Sanitation.
 - b. Access.
 - c. Temperature control and storage period.
 - d. Drainage and ventilation.
- 4. Requirements for transportation.
 - a. Sanitation.
 - b. Access.
 - c. Temperature and storage period.
 - d. Drainage.
 - e. Packaging, labeling and placards.
 - f. Management of spills.
 - g. Loading and unloading.
 - h. Registration of transportation.
- 5. Requirements for incineration.
 - a. Performance standards.
 - b. Analysis and management of ash residue.
 - c. Unloading operation.
 - d. Compliance with other regulatory requirements.
- 6. Requirements for steam sterilization.
 - a. Performance standards.
 - b. Compliance with other regulatory requirements.

E. A board-approved training course [~~for specific to~~] Class IV [~~specific management facility facilities~~] shall include at a minimum the following topics:

- 1. Solid Waste Management Regulations.
 - a. Siting.
 - b. Design and construction.
 - c. Operation.
 - d. Waste characteristics.

- 2. Emissions formation and control.
 - a. Type of emissions.
 - b. Environmental effect.
 - c. Control techniques.
- 3. Emissions monitoring.
 - a. Parameters monitored.
 - b. Types of monitors.
 - c. Data acquisition.
 - d. Monitor calibration, certification and testing.
- 4. Combustion and gas reactions.
 - a. Combustion components.
 - b. Optimizing solid waste combustion.
 - c. Gas reactions related to combustor construction materials.
- 5. Solid waste materials handling.
 - a. Front end processing equipment.
 - b. Combustion enhancement.
 - c. Back end processing.
 - d. Recycling benefits.
- 6. Waste combustion residue handling and disposal.
 - a. Types of residue.
 - b. Characteristics.
 - c. Regulations.
 - d. Monitoring.
 - e. Handling and transportation.
 - f. Disposal.
 - g. Alternative uses.
- 7. Safety.
 - a. Employer/employee obligations.
 - b. OSHA.
 - c. Hazard communication.
 - d. Equipment tagout.
 - e. Respiratory protection.
- 8. Recordkeeping.
 - a. Engineering log keeping.
 - b. Maintenance.
 - c. Solid waste.

18 VAC 155-20-230. Approval of training course.

~~A. Persons seeking to have a training course approved by the board shall complete a form provided by the board and~~

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~~submit the appropriate fee as defined in~~ Each applicant for training course approval shall meet the requirements established by this chapter before being granted approval [by the board]. Those desiring approval of a training course shall apply on a form provided by the department. The form shall be completed in accordance with the instructions supplied, and shall be accompanied by three copies of the materials which document that the training course meets the requirements of this chapter and by the fee required by 18 VAC 155-20-40 B 6 ~~of this chapter~~. Receipt and deposit of the required fee [~~de does~~] not indicate board approval.

B. Training courses shall be approved by the board prior to the training activity in accordance with the following:

1. Training providers.

a. Organizations. The board may approve training courses offered by a sponsor who is an identifiable organization which can demonstrate the capability to teach environmental or engineering material. The organization shall have a mission statement outlining its functions, structure, process and philosophy, and [~~that~~] a staff of one or more persons [*that*] has the authority to administer and coordinate the training program.

b. Schools. The board may approve training courses offered by an accredited academic institution which can demonstrate the capability to teach environmental or engineering material.

c. Businesses. The board may approve training courses offered by a business entity which can demonstrate the capability to teach environmental or engineering material.

2. Instructors. The training course provider shall ensure training is only conducted by personnel who have demonstrated competence in the subject being taught, an understanding of the learning objective, a knowledge of the teaching process to be used, and a proven ability to communicate.

3. Objectives. The training course provider shall ensure that the course has a series of stated objectives that are consistent with the type of facility, operator job requirements, and state and federal regulation. The training course shall be consistent with training criteria outlined in 18 VAC 155-20-220 ~~of this chapter~~.

4. The board shall only approve courses which provide the participants a complete tour of a facility appropriate to the course emphasizing operator responsibilities. The basic training course is exempt from this requirement.

5. Course completion requirements. For successful completion of a training program, participants must attend 90% or more of the class contact time and the tour of the facility.

6. The training provider shall provide an effective means for evaluation of the quality of the course and the instructor(s).

7. The training provider shall ensure the number of participants and physical facilities are appropriate for the course content and teaching method specified by the developer [*of the course*].

8. The training provider shall ensure all course materials are technically accurate, current and sufficient to meet the program's learning objectives.

C. Training records.

1. An approved training provider shall retain records for all participants for a period of 10 years and shall maintain a written policy on the retention and release of records.

2. All records pertaining to the approved training and participants shall be made available to the board immediately upon request.

D. The board shall consider the following information, ~~to be submitted to the board at least 45 days prior to the scheduled training activity before deciding to approve or disapprove an application for training provider approval~~.

1. Course information.

a. Course title.

b. Planned audience.

c. Name of sponsor.

d. Name, address and telephone number of contact person.

e. Scheduled presentation dates.

f. Detailed course schedule on an hour-by-hour basis.

g. List of planned breaks.

h. Scheduled presentation locations.

i. Scheduled tour locations.

j. Instructor(s) resume.

2. Training materials.

a. Course objectives. A listing of the course objectives stated in [~~the~~] terms of the skills and knowledge the participant will be able to demonstrate as a result of the training.

b. Course outline. A detailed outline showing the planned activities that will occur during the training program, including major topics, planned presentation sequence, tour activities, audio-visual presentations and other major activities.

c. Course reference materials. A list of name, publisher, and publication [*date*] of commercially available publications; for material developed specifically for the course, a copy of the reference material.

d. Audio-visual support materials. A list of any commercially available audio-visual support material that will be used in the course; a brief description of

any audio-visual material generated by the sponsor or instructor.

e. Handouts. Identification of all commercially available handout material including regulations; copies of other handouts generated by the sponsor or instructor.

E. The board shall approve all substantial changes to the course ~~and all additional course dates and locations prior to the training activity before the changes may be implemented.~~

F. The board reserves the right to withdraw approval if the board determines the course is not adequately teaching participants, or the sponsor or an instructor violates this chapter.

18 VAC 155-20-240. Continuing education requirement. (Repealed.)

A. All applicants for certification renewal shall complete at least 10 hours of continuing education during the term of the expiring certification. No continuing education shall be required for the first renewal after the issuance of the initial certification.

B. In order for the certified operator to receive continuing education credit, all credit hours shall be specific to the management of a solid waste management facility.

C. Certified individuals may seek board approval of a specific course on a case-by-case basis either before or after completing the course.

1. Certified individuals requesting an individual course be approved shall submit the name, address and telephone number of the sponsor, a copy of the syllabus and other available descriptive material to the board for review.

2. If the board approves the course, the applicant will receive a letter from the board stating the approval and the number of credit hours which will be awarded for completing the course.

D. The certified operator shall retain evidence of satisfactory completion of CPE credit hours for a period of three years. Such documentation shall be in a form of the certificate of completion from an approved sponsor or verification from the accredited institution offering the course. If, upon request, the certified operator cannot produce such documentation, the certified operator may be subject to disciplinary proceedings.

E. All CPE credit hours shall be reported to the board on a form provided by the board and subject to possible audit.

F. CPE credit hours, taken after the expiration of the individual's certificate to meet the CPE requirement of the prior certification cycle, shall not be reported for any future renewal.

G. Failing to meet the CPE requirement may result in reapplication for certification including possible training and examination requirements.

PART VII. APPROVAL OF CPE SPONSORS.

18 VAC 155-20-250. General. (Repealed.)

A. ~~For the purposes of this section all courses, seminars and conference presentations related to the management of a solid waste management facility sponsored by state and federal government bodies are approved by the board.~~

B. ~~Persons seeking registration as a board approved sponsor shall apply on an application form provided by the board and submit the application fee defined in 18 VAC 155-20-40 B-7 of this chapter. The receipt and deposit of fees do not indicate board approval.~~

C. Each applicant shall agree as a condition of registration to abide by the following provisions:

1. Each applicant shall possess the financial resources, sound administration, competent supervision and an effective and supportive organizational structure.

2. Programs shall contribute to the professional competence of participants in managing and operating a solid waste management facility.

3. CPE credit hours are allowed only for formal programs of learning that maintain or increase the professional competence of the participant.

4. Program sponsor shall select instructors qualified with respect to both program content and required teaching methods.

5. Program sponsors shall ensure the number of participants and the physical facilities are appropriate for the program content and teaching methods used by the instructors.

6. Sponsors shall provide an effective means for evaluating the quality of the program and instructors.

D. Failure of the sponsor to comply with the requirements relating to the responsibilities of program sponsors may result in the termination by the board of approved sponsor designation.

E. The board reserves the right to initiate an investigation of an approved sponsor.

F. Upon finding of any violation of the board's rules and regulations, the board may deny initial registration, deny renewal, suspend or revoke approval.

18 VAC 155-20-260. Standards for CPE program development and presentation. (Repealed.)

Each sponsor that submits an application to the board shall accept and abide by these provisions:

1. Program developers shall state learning objectives and specify the level of knowledge of the program. Each objective shall be written to be consistent with the program's specified level of knowledge. Levels of knowledge shall be described as basic, intermediate, advanced or updated.

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~~2. Program developers shall state the prerequisites for education, experience, or both for all programs.~~

~~3. Program developers shall be qualified in the subject matter and be knowledgeable in instruction design through practical experience, education or both.~~

~~4. Program materials shall be technically accurate, current, and sufficient to meet the program's learning objectives.~~

~~5. Program sponsors shall inform all participants in advance of learning objectives, prerequisites, level of knowledge of the program, program content, need for any advanced preparation, teaching methods to be used, recommended CPE credit, and relevant administrative policies.~~

~~6. Brochures and other announcements shall disclose all policies and procedures concerning registration, payment of fees, refunds, attendance, and certificates of completion.~~

~~7. All programs shall be measured in 50-minute contact hours. The shortest program for CPE credit purposes shall consist of one contact hour.~~

~~8. Instructors shall be given CPE credit for their preparation and presentation time. Credit for instructors shall be measured in 50-minute contact hours. Preparation credit received shall be no greater than two times the number of presentation hours. An instructor may not receive credit for preparation time for a repeated presentation unless he can demonstrate that the program content involved was substantially changed.~~

18 VAC 155-20-270. Certificates of completion and recordkeeping. (Repealed.)

~~A. The sponsor shall provide participants, upon successful completion of each course, a certificate of completion indicating location, date(s), CPE credit hours, sponsor identification, address of sponsor, and title of course.~~

~~B. The sponsor shall maintain for a period of five years records of participation, copy of program materials, dates, location, instructor(s), number of CPE contact hours, and evaluations of the course and instructor.~~

~~C. All records shall be made available to the board immediately upon request.~~

PART VIII. V.

STANDARDS OF CONDUCT AND DISCIPLINARY ACTION.

18 VAC 155-20-280. Prohibited acts. Grounds for denial of application, denial of renewal, or discipline.

~~A. Part VIII is intended to apply to both interim and full certification.~~

~~B. The following are grounds for disciplinary action by the board:~~
~~A. The board shall have the authority to deny an application for and to deny renewal of a license or training course approval, and to revoke or suspend the license or training course approval as well as to discipline a licensee or an approved training provider for the following reasons:~~

~~1. The certificate holder violates or induces Violating or inducing another person to violate any provisions of Chapters 1 [(§ 54.1-100 et seq.)], 2 [(§ 54.1-200 et seq.)], 3 [(§ 54.1-300 et seq.)] or 22.1 [(§ 54.1-2209 et seq.)] of Title 54.1 of the Code of Virginia, or any provisions of this chapter.~~

~~2. The certificate issued to a solid waste management facility operator was obtained Obtaining a license or training course approval through fraudulent means or misrepresentation.~~

~~3. Having been found guilty by the board, an administrative body or by a court of any material misrepresentation in the course of performing his operating duties.~~

~~4. Having been convicted or found guilty, regardless of jurisdiction, of any felony, or violation which resulted in the significant harm [or the imminent and substantial threat of significant harm] to human health or the environment, there being no appeal pending therefrom or the time of appeal having elapsed. Any plea of nolo contendere shall be considered a conviction for the purposes of this chapter. The record of a conviction authenticated in such form as to be admissible in evidence under the laws of the jurisdiction where convicted A certified copy of the final order, decree or case decision by a court or regulatory agency with lawful authority to issue such order, decree or case decision shall be admissible as prima facie evidence of such conviction.~~

~~5. Failing to inform the board in writing within 30 days of pleading guilty or nolo contendere or being convicted or found guilty of any felony which resulted in the significant harm or the imminent and substantial threat of significant harm to human health or the environment.~~

~~6. Gross negligence, or a continued pattern of incompetence, in the practice as a waste management facility operator.~~

~~7. Violating the permit conditions for the facility, or violating any federal, state or local laws or regulations which results in the significant harm or an imminent and substantial threat of significant harm to human health or the environment.~~

~~G. B. Any individual whose certification license is revoked under this section shall not be eligible to apply for certification licensure for a period of one year from the effective date of the final order of revocation. [After the one-year period,] the individual shall meet all education, examination, experience and training requirements, complete the application and submit the required fee for consideration as a new applicant.~~

~~C. The board shall conduct disciplinary procedures in accordance with the Administrative Process Act (§ 9-6.14:1 et seq. of the Code of Virginia).~~

18 VAC 155-20-290. Denial, suspension or revocation of certification or approval. (Repealed.)

~~A. Denial of certification or approval.~~

1. The board, at its discretion, may deny approval of a training course, CPE sponsor or individual certification for any reason specified in this chapter.

2. The applicant may request the board to reconsider its initial decision in writing within 30 days of the applicant's notification of the denial.

3. If the board's initial decision of denial is reconfirmed, the board will notify the applicant in writing outlining the reasons for denial. The response may also include any necessary steps that can be taken by the applicant to ensure compliance with this chapter.

4. All appeals for denied applicants for certification or approval shall be in accordance with the provisions of the Administrative Process Act (§ 9-6.14:1 et seq. of the Code of Virginia).

B. Suspension and revocation of certification.

1. The board, in its discretion, may suspend or revoke the certification of an individual, an approved course or CPE sponsor for any reason specified in this chapter.

2. The board shall conduct disciplinary proceedings in accordance with the Administrative Process Act (§ 9-6.14:1 et seq. of the Code of Virginia).

3. Any individual certified or training provider approved by the board who violates any statute or provision of this chapter and is not criminally prosecuted, shall be subject

to a monetary penalty. The board shall determine the monetary penalty which shall not exceed \$1,000 for each violation.

NOTICE: The forms used in administering 18 VAC 155-20-10 et seq., Waste Management Facility Operators Regulations, are listed below. Any amended or added forms are reflected in the listing and are published following the listing.

FORMS

~~License Application for Full Certification (10/96), 46LIC ([8/4/99 rev. 3/10/00]).~~

~~Verification of Employment Experience (10/96) Verification Form, 46EXP ([8/4/99 rev. 3/10/00]).~~

~~Education Verification of Education/Degree Granted (10/96) Form, 46ED ([8/4/99 rev. 3/10/00]).~~

~~Application for Virginia Approved Sponsor of [Continuing Education] (10/96) [Sponsor Application, 46SPON (8/1/99)].~~

~~Application for Approval of Waste Management Facility Operators Training Course (10/96) Approval, 46CRS ([8/4/99 rev. 3/10/00]).~~

~~[Examination Schedule and Location Request Form, 46EXLOC (rev. 12/16/99)].~~

Commonwealth of Virginia
Department of Professional and Occupational Regulation
3600 West Broad Street
Post Office Box 11066
Richmond, Virginia 23230-1066
(804) 367-8595

Virginia
DEPARTMENT OF PROFESSIONAL AND OCCUPATIONAL REGULATION

Board for Waste Management Facility Operators
LICENSE APPLICATION
Fee \$75.00

A check or money order payable to the TREASURER OF VIRGINIA, or a completed credit card insert must be mailed with your application package. APPLICATION FEES ARE NOT REFUNDABLE.

NOTE: To obtain a waste management facility operator license, your application package must include 1) a complete and legible **LICENSE APPLICATION**; 2) copies of any training certificates proving that you successfully completed the board-approved basic training course and any required board-approved courses, specific to the requested operator classification; 3) a completed **EDUCATION VERIFICATION FORM** or official school transcript; and 4) **EXPERIENCE VERIFICATION FORMS** (if applicable).

- Name: First Last Generation (SR, JR, III)
- Social Security Number * - -
- Date of Birth - -
- Home Street Address (no PO Boxes)
- City, State, Zip Code
- E-mail Address
- Telephone & Facsimile Numbers: Telephone Facsimile Beeper/Cellular

7. Check the one type of license you are requesting.

- Class I ☐
Class II ☐
Class III ☐
Class IV ☐

8. Do you hold a current or expired waste management facility operator license or certification issued by the Virginia Board for Waste Management Facility Operators?

- No ☐ Yes ☐
VA License/Certificate Number Expiration Date

9. Do you hold a current waste management facility operator license or certification issued by another state?

- No ☐ Yes ☐

If yes, list all the licenses and certificates in the following table, then skip to question #13. An original Certification of Licensure/Letter of Good Standing (no more than 60 days old), prepared by the state board or licensing body through which you are currently licensed must be forwarded from the state board to the VA Waste Management Licensing Section.

State/Jurisdiction	License/Certification Number	Expiration Date

NOTE: You must complete the Virginia board-approved basic training course within one year of licensure.

OFFICE USE ONLY	DATE	FEE	CLASS OF FEE	LICENSE NUMBER	ISSUE DATE
				4602	

46LIC (3/10/00)

Board for Waste Management Facility Operators/LIC APP

1 of 2



Commonwealth of Virginia
Department of Professional and Occupational Regulation
3600 West Broad Street
Post Office Box 11066
Richmond, Virginia 23230-1066
(804) 367-8595

Board for Waste Management Facility Operators EXPERIENCE VERIFICATION FORM

Instructions:

Section A: To be completed by the applicant.

Section B: To be completed by the supervisor or personnel officer at the employer listed in **Section A #5** and returned to the Virginia Board for Waste Management Facility Operators at the address printed above. **Additional forms should be completed for each employer verifying your experience.**

Section A

- Name
First _____ Middle _____ Last _____ Generation (SR, JR, III) _____
- Social Security Number *
[] [] [] - [] [] [] - [] [] []
- Mailing Address
City, State, Zip Code _____
- Telephone & Facsimile Numbers
Telephone () _____ Facsimile () _____
Beeper/Cellular _____
- Employer _____
- Employer's Address _____
- Job Title _____
- Dates of Employment
From _____ To _____
- Describe your daily job activities in detail. Include how much time you spend at the site, your duties, and how many individuals you supervise. Inadequate job descriptions will be returned for additional information.

10. Supervisor's Name _____

11. Supervisor's Title _____

Section B

Is/was the applicant employed during the time period indicated in Section A #8?

Yes ☐ No ☐ If no, when was the applicant employed? _____

Is the job description in Section A #9 accurate and complete?

Yes ☐ No ☐ If no, what changes should be made? _____

Certifying Supervisor's Name & Title _____

Certifying Supervisor's Signature _____

Date _____

* State law requires every applicant for a license, certificate, registration or other authorization to engage in a business, trade, profession or occupation issued by the Commonwealth to provide a social security number or a control number issued by the Virginia Department of Motor Vehicles.

46EXP (3/10/00)
Board for Waste Management Facility Operators/EXP FORM

10. Are you applying for a **Class III** or **Class IV** Virginia Waste Management Facility Operator License based on the training and examination requirement of a federal or state agency under the Clean Air Act Amendments of 1990 and plan to complete the board-approved basic training course within one year of licensure?

No ☐ Yes ☐ If yes, skip to #12.

11. Which of the following methods of licensure are you using to qualify for a Virginia Waste Management Facility Operator License? Check only one.

Training and Examination ☐
Experience and Examination ☐

12. Name and location of school or institution where you completed your highest level of education*. Attach a completed Education Verification Form or official school transcript.

* In order to qualify for a Virginia Waste Management Facility Operator License, you must have received, at a minimum, a GED or high school diploma.

13. Have you ever been subject to a disciplinary action imposed by any (including Virginia) local, state or national regulatory body?

No ☐ Yes ☐

If yes, list the name of the jurisdiction in which the disciplinary action took place and the license number. Provide an explanation of events, including a description of the disciplinary proceeding and the type of sanctions that were imposed (i.e., suspension, revocation, voluntary surrender of license, monetary penalty, fine, reprimand, etc.). Attach copies of any correspondence or documentation (including a copy of the final order, decree or case decision) related to this matter. If necessary, you may attach a separate sheet of paper.

14. A. Have you ever been convicted in any jurisdiction of any felony? Any guilty plea or plea of nolo contendere must be disclosed on this application. Do not disclose violations that were adjudicated as a minor in the juvenile court system.

No ☐ Yes ☐ If yes, please provide the information requested in #14.C.

B. Have you ever been convicted in any jurisdiction of any misdemeanor? Any guilty plea or plea of nolo contendere must be disclosed on this application. Do not disclose violations that were adjudicated as a minor in the juvenile court system.

No ☐ Yes ☐ If yes, please provide the information requested in #14.C.

C. If you answered "yes" to either question #14.A. or #14.B., list the felony and/or misdemeanor conviction(s). Attach a copy of all applicable criminal conviction, state police and court records; information on the current status of incarceration, parole, probation, etc.; and any other information you wish to have considered with this application (i.e., reference letters, documentation of rehabilitation, etc.). If necessary, you may attach a separate sheet of paper.

15. I, the undersigned, certify that the foregoing statements and answers are true, and I have not suppressed any information that might affect the Board's decision to approve this application. I certify that I will notify the Department if I am subject to any disciplinary action; or convicted of any felony or misdemeanor charges (in any jurisdiction) prior to receiving my license. I also certify that I understand, and have complied with, all the laws of Virginia related to Waste Management Facility Operators licensure under the provisions of Title 54.1, Chapter 22.1 of the Code of Virginia and the Virginia Board for Waste Management Facility Operators Rules and Regulations.

Signature _____

Date _____

* State law requires every applicant for a license, certificate, registration or other authorization to engage in a business, trade, profession or occupation issued by the Commonwealth to provide a social security number or a control number issued by the Virginia Department of Motor Vehicles.

46LIC (3/10/00)
Board for Waste Management Facility Operators/LIC APP

46ED (3/10/00) Board for Waste Management Facility Operators/ED FORM

12. Instructor(s) information

Instructor's Name	Title	Employer	Phone Number
			() -
			() -
			() -

13. How will satisfactory completion of this course be determined? Please select all that apply.

- ☐ Attendance
☐ Examination
☐ Site visits
☐ Skill demonstrations
☐ Other

14. Contact Person's Signature _____ Date _____

BOARD FOR WASTE MANAGEMENT FACILITY OPERATORS
2000 Examination Schedule & Location Request Form

Completed applications along with the \$75 application fee must be received by this office 45 days prior to the examination date. After the applicant has been approved for the examination, an eligibility letter will be issued. The applicant then must submit the bottom portion of the eligibility letter and the \$150 examination fee to this office at least 30 days prior to the examination. The following projected examination dates are subject to change, at any time, depending on the availability of examination sites on the specified date:

Examination Dates	Application/Fee Deadline
March 31, 2000 (Richmond only)	February 15, 2000
July 28, 2000	June 13, 2000
November 17, 2000	October 3, 2000

The Board will assign each applicant a permanent examination location. Listed below are the five locations at which the Board normally administers the examination. By filing this form with the Board, you have an opportunity to choose your location. If you do not return this form, you will be assigned a location based on your residence and business address 30 days prior to each examination.

Applicant's Name

First _____ Middle _____ Last _____ Generation (SR, JR, etc.) _____

Social Security Number * _____ - _____ - _____

Requested Location

- ☐ Northern Virginia - Reston
☐ Central Virginia - Richmond
☐ Tidewater Virginia - Suffolk
☐ Western Virginia - Roanoke
☐ Southwest Virginia - Abingdon

Do you require any special assistance or consideration due to a special physical, mental or emotional condition?

- No ☐
Yes ☐ If yes, provide information on your condition and the assistance you require.

* State law requires every applicant for a license, certificate, registration or other authorization to engage in a business, trade, profession or occupation issued by the Commonwealth to provide a social security number or a control number issued by the Virginia Department of Motor Vehicles.

EMERGENCY REGULATIONS

TITLE 4. CONSERVATION AND NATURAL RESOURCES

MARINE RESOURCES COMMISSION

Title of Regulation: **4 VAC 20-270-10 et seq. Pertaining to Crabbing (amending 4 VAC 20-270-40).**

Statutory Authority: §§ 28.2-201 and 28.2-210 of the Code of Virginia.

Effective Dates: March 1, 2000, through March 30, 2000.

Preamble:

This emergency chapter establishes time, season, peeler pot limits and softshell crab minimum size limits for commercial crabbing in Virginia and is promulgated pursuant to authority contained in §§ 28.2-201 and 28.2-210 of the Code of Virginia. This emergency chapter amends previous 4 VAC 20-270-10 et seq., which was promulgated November 16, 1999, and made effective on January 1, 2000. The effective date of this emergency chapter is March 1, 2000.

The amendment limits the locations where a fish pot may be set, placed or fished during the March 27 through March 31 period.

Agency Contact: Copies of the regulation may be obtained from Deborah Cawthon, Regulatory Coordinator, Marine Resources Commission, P.O. Box 756, Newport News, VA 23607, telephone (757) 247-2248.

4 VAC 20-270-40. Season limits.

A. It shall be unlawful for any person to place, set, fish or knowingly leave any hard crab pot or peeler crab pot in any tidal waters of Virginia from December 1 through March 31.

B. *It shall be unlawful for any person to place, set, or fish or knowingly leave any fish pot in any tidal waters during the March 27 through March 31 period, except as provided in subdivisions 1 and 2 of this subsection.*

1. It shall be lawful for any person to place, set, or fish any fish pot in those waters located above the downriver boundary lines which establish the various spawning reaches as described in 4 VAC 20-252-20.

2. The provision of this subsection shall not apply to lawful eel pots as described in 4 VAC 20-500-50.

/s/ William A. Pruitt
Commissioner

VA.R. Doc. No. R00-149; Filed February 29, 2000, 2:58 p.m.



GOVERNOR

GOVERNOR'S COMMENTS ON PROPOSED REGULATIONS

TITLE 12. HEALTH

DEPARTMENT OF MEDICAL ASSISTANCE SERVICES

Title of Regulation: **12 VAC 30-80-10 et seq. Methods and Standards for Establishing Payment Rate; Other Types of Care (Repeal of Obstetric/Pediatric Fees).**

Governor's Comment:

I have reviewed the proposed regulation on a preliminary basis. While I reserve the right to take action under the Administrative Process Act during the final adoption period, I have no objection to this regulation based on the information and public comment currently available.

/s/ James S. Gilmore, III
Governor
Date: February 15, 2000

VA.R. Doc. No. R98-319; Filed February 25, 2000, 3:43 p.m.

/s/ James S. Gilmore, III
Governor
Date: February 15, 2000

VA.R. Doc. No. R98-270; Filed February 25, 2000, 3:43 p.m.

Title of Regulation: **13 VAC 5-61-10 et seq. Virginia Uniform Statewide Building Code.**

Governor's Comment:

I have reviewed the proposed regulation on a preliminary basis. While I reserve the right to take action under the Administrative Process Act during the final adoption period, I have no objection to this regulation based on the information and public comment currently available.

/s/ James S. Gilmore, III
Governor
Date: January 21, 2000

VA.R. Doc. No. R98-274; Filed February 25, 2000, 3:43 p.m.

TITLE 13. HOUSING

BOARD OF HOUSING AND COMMUNITY DEVELOPMENT

Title of Regulation: **13 VAC 5-21-10 et seq. Virginia Certification Standards.**

Governor's Comment:

I have reviewed the proposed regulation on a preliminary basis. While I reserve the right to take action under the Administrative Process Act during the final adoption period, I have no objection to this regulation based on the information and public comment currently available.

/s/ James S. Gilmore, III
Governor
Date: February 15, 2000

VA.R. Doc. No. R98-273; Filed February 25, 2000, 3:43 p.m.

Title of Regulation: **13 VAC 5-51-10 et seq. Virginia Statewide Fire Prevention Code.**

Governor's Comment:

I have reviewed the proposed regulation on a preliminary basis. While I reserve the right to take action under the Administrative Process Act during the final adoption period, I have no objection to this regulation based on the information and public comment currently available.

GENERAL NOTICES/ERRATA

STATE CORPORATION COMMISSION

REGISTRAR'S NOTICE: The proposed regulation referenced in the following order (20 VAC 5-200-10 et seq., Public Utility Accounting) was published in 16:6 VA.R. 648-705 December 6, 1999.

AT RICHMOND, MARCH 1, 2000

COMMONWEALTH OF VIRGINIA

At the relation of the

STATE CORPORATION COMMISSION

CASE NO. PUA990054

Ex Parte: In the matter of
Adopting additions and
amendments to the Commission's
rules governing the filing of
utility rate increase applications

ORDER SETTING HEARING

By order entered September 14, 1999, the Commission established this proceeding for the consideration of amendments or additions to its rules governing utility rate increase applications and annual informational filings.

After notice to interested parties and the public, the Commission received comments on the proposed amendments and additions from the following: The Potomac Edison Company, d/b/a Allegheny Power; Washington Gas Light Company, Appalachian Power Company, d/b/a American Electric Power ("AEP-VA"); the Office of the Attorney General's Division of Consumer Counsel; Old Dominion Electric Cooperative and its member distribution cooperatives, together with the Virginia, Maryland & Delaware Association of Electric Cooperatives (collectively, "the Cooperatives"); Kentucky Utilities Company, d/b/a Old Dominion Power Company; Virginia Electric and Power Company ("Virginia Power"); Roanoke Gas Company; Columbia Gas of Virginia, Inc.; GTE South Incorporated; Atmos Energy Corporation, d/b/a United Cities Gas; Delmarva Power & Light Company, Virginia - American Water Company; and Virginia Natural Gas (collectively "the Companies"); and the Virginia Committee for Fair Utility Rates and the Old Dominion Committee for Fair Utility Rates (collectively, "the Industrial Electric Customers"). AEP-VA, Virginia Power, the Cooperatives, and the Companies requested a hearing on the proposed changes to the rules.

NOW THE COMMISSION, upon consideration of the comments and requests for hearing filed herein, is of the opinion and finds that the requests for hearing should be granted. We will permit the parties having filed comments and desiring to offer evidence at the hearing either to adopt their comments as their testimony or to prefile separate testimony. Any party adopting its comments as its testimony must identify its witness(es) who will sponsor the comments and must provide a brief description of the specific issues the party intends to address at the hearing. We will also direct the Commission Staff to prefile testimony or adopt its

November 9, 1999, Report in accordance with the terms specified above applicable to the parties. Accordingly,

IT IS ORDERED THAT:

(1) A public hearing for the purpose of receiving evidence relevant to the proposed additions and amendments to the Commission's rules governing utility rate increase applications and annual informational filings is scheduled for Tuesday, June 6, 2000, at 10:00 a.m. in the Commission's second floor courtroom located in the Tyler Building, 1300 East Main Street, Richmond, Virginia 23219.

(2) On or before May 1, 2000, the Commission Staff shall file with the Clerk of the Commission an original and fifteen (15) copies of any testimony (or its filing adopting its Report) it expects to introduce at the hearing scheduled herein.

(3) On or before May 22, 2000, any party having filed comments who desires to offer evidence at the hearing scheduled herein shall file with the Clerk of the Commission an original and fifteen (15) copies of any testimony (or its filing adopting its comments) it expects to introduce at the hearing, and shall serve a copy of such filing on all parties to this proceeding.

(4) Any person desiring to make a statement at the public hearing on June 6, 2000, need only appear in the Commission's second floor courtroom at 9:45 a.m. on the day of the hearing and identify himself to the bailiff as a public witness.

AN ATTESTED COPY hereof shall be sent by the Clerk of the Commission to: Rebecca W. Hartz, Esquire, Division of Consumer Counsel, Office of Attorney General, 900 East Main Street, Second Floor, Richmond, Virginia 23219; Jean Ann Fox, Vice President, Virginia Citizens Consumer Council, 114 Coachman Drive, Yorktown, Virginia 23693; Jeffrey M. Gleason, Esquire, Southern Environmental Law Center, 201 West Main Street, Suite 14, Charlottesville, Virginia 22902; Louis R. Monacell, Esquire, and Robert M. Gillespie, Esquire, Christian & Barton, L.L.P., 909 East Main Street, Suite 1200, Richmond, Virginia 23219-3095; Dennis R. Bates, Esquire, Senior Assistant County Attorney, Fairfax County, 12000 Government Center Parkway, Suite 549, Fairfax, Virginia 22035-0064; Kenneth G. Hurwitz, Esquire, and Rita Wecker, Esquire, Venable, Baetjer, Howard & Civiletti, LLP, 1201 New York Avenue, N.W., 11th Floor, Washington, D.C. 20005; James S. Copenhaver, Esquire, Columbia Gas of Virginia, Inc., P.O. Box 35674, Richmond, Virginia 23235-0674; Philip J. Bray, Esquire, Allegheny Power, 10435 Downsview Pike, Hagerstown, Maryland 21704-1766; J. B. Williamson, III, Chairman and CEO, Roanoke Gas Company, P.O. Box 13007, Roanoke, Virginia 24030; Ronald L. Willhite, Director, Regulatory Affairs, Kentucky Utilities Company, P.O. Box 32030, Louisville, Kentucky; Donald R. Hayes, Senior Attorney, Washington Gas Light Company, 1100 H Street, N.W., Washington, D.C. 20080; John A. Pirko, Esquire, LeClair Ryan, P.C., 4201 Dominion Boulevard, Suite 200, Glen Allen, Virginia 23060; Anthony Gambardella, Esquire, Woods, Rogers & Hazlegrove, P.L.C., 823 East Main Street, Suite 1200, Richmond, Virginia 23219; Guy T. Tripp, III, Esquire, Hunton & Williams, Riverfront Plaza, East Tower, 951 East Byrd Street, Richmond, Virginia

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23219-4074; Richard D. Gary, Esquire, Hunton & Williams, Riverfront Plaza, East Tower, 951 East Byrd Street, Richmond, Virginia 23219-4074; Karen L. Bell, Esquire, Virginia Electric and Power Company, P.O. Box 26666, Richmond, Virginia 23261; and the Commission's Divisions of Energy Regulation, Economics and Finance, and Public Utility Accounting, and Office of General Counsel.

Agency Contact: Questions regarding this order should be addressed to Susan Larsen, Deputy Director, Division of Public Utility Accounting, State Corporation Commission, P.O. Box 1197, Richmond, VA 23218, telephone (804) 371-9950.

* * * * *

Bureau of Insurance

February 23, 2000

ADMINISTRATIVE LETTER 2000-1

TO: All Carriers Licensed to Market Credit Life Insurance or Credit Accident and Sickness Insurance in Virginia

**RE: Credit Insurance Experience Exhibits
§ 38.2-3730 of the Code of Virginia**

In accordance with § 38.2-3730 B of the Code of Virginia, adjustments to the prima facie rates applicable to credit life and credit accident and sickness insurance for the triennium commencing January 1, 2001, will be established and published later this year. This letter serves as a reminder to all carriers licensed to write either or both of these coverages that the Credit Insurance Experience Exhibit (CIEE) for the 1999 reporting year, from which information will be obtained to properly calculate these rates, must be submitted to the Commission no later than **April 1, 2000**. All companies were instructed, by letter dated December 1, 1999, to submit a duplicate copy of this exhibit to the Forms and Rates Section of the Bureau of Insurance (the Bureau). Because of the time constraints under which the rate calculation must be completed, **it is imperative that the Bureau be provided with complete and accurate CIEEs from each and every affected carrier on or before April 1, 2000.**

Attached to this administrative letter are examples of some of the problems identified with earlier CIEE filings. In some instances, information was not incorrect, but further explanation was necessary to properly evaluate the information. Companies are encouraged to review the attachment to ensure that similar problems do not recur this year. Please note that the CIEE must be filed on a direct basis, i.e. before taking reinsurance ceded into account.

Companies are strongly encouraged to contact the Bureau with any questions or requests for clarification of any of the above as early as possible. The duplicate CIEE filings, as well as questions, should be directed to:

Jacqueline K. Cunningham
Supervisor, Forms and Rates Section
Life and Health Division
P.O. Box 1157
Richmond, Virginia 23218
804-371-9110

/s/ Alfred W. Gross
Commissioner of Insurance

Administrative Letter 2000-1
Attachment

The following are examples of problems identified in filings of the Credit Insurance Experience Exhibits (CIEEs) in previous reporting years. Companies are directed to review the information below to ensure that similar problems do not recur in their 1999 CIEEs. Any of the following situations legitimately applicable to a 1999 CIEE should include an appropriate explanation.

- **Wrong state submitted, state not indicated, or Virginia experience not separated.** The Bureau received a number of exhibits in which a section was missing, the wrong state or year was submitted, or Virginia was not broken out of the totals.
- **Prima facie premium not listed.** The prima facie premium is needed to evaluate the rates. Each company should explicitly state the prima facie premium on the appropriate exhibit line, even if it is the same as earned premium.
- **Prima facie premiums greater than earned premiums.** While this is not a problem per se, our experience is that most companies charge the maximum rate allowed. This may be indicative of a miscalculation, especially on MOB business.
- **Earned premiums greater than prima facie premium.** For MOB business, this may be indicative of a miscalculation. Such premiums violate statutes unless the premium rates have been approved. If the premium rates have been approved, we ask that reporting carriers provide the Bureau with the approval date(s) to facilitate our analysis.
- **Changes in the reserves reported from the end of one reporting year to the beginning of the subsequent reporting year.** This can cause previously charged premium and claims to disappear. It can also cause claims without corresponding premium and vice versa. Restatement of opening reserves merely results in delay and unnecessary expense for the Bureau, and in light of the purpose of these CIEEs, companies should ensure that opening reserves (at the beginning of the year) are equal to closing reserves (at the end of the previous year).
- **Claim reserve errors.** These cause inaccurate incurred claims and may also indicate inadequate reserves for the product line.
- **Premium reserve errors.** These cause inaccurate premium reserve calculations.

- **Assumption reinsurance transactions.** If any business is transferred by assumption reinsurance, include a cover letter identifying the companies involved and the reserve amounts impacted by the transaction.

- **Company name changes or mergers.** If the reporting company has changed its name and/or has been involved in a merger, full details should be provided to enable the Bureau of Insurance to appropriately combine experience for the past three years.

Agency Contact: Questions regarding Administrative Letter 2000-1 should be addressed to Jacqueline K. Cunningham, State Corporation Commission, Bureau of Insurance, Tyler Building, 6th Floor, P.O. Box 1157, Richmond, VA 23218, telephone (804) 371-9110.

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February 25, 2000

ADMINISTRATIVE LETTER 2000-2

TO: ALL INSURERS LICENSED TO WRITE ACCIDENT AND SICKNESS INSURANCE IN VIRGINIA, AND ALL HEALTH SERVICES PLANS AND HEALTH MAINTENANCE ORGANIZATIONS LICENSED IN VIRGINIA

RE: 14 VAC 5-190-10 et seq.: Rules Governing the Reporting of Cost and Utilization Data Relating to Mandated Benefits and Mandated Providers - 1999 Reporting Period

The attached instructions and forms are provided to assist companies in the preparation of the Annual Report of Cost and Utilization Data Relating to Mandated Benefits and Mandated Providers for the 1999 reporting period, pursuant to 14 VAC 5-190-10 et seq. and § 38.2-3419.1 of the Code of Virginia. The report must be in the format contained in Form MB-1, a copy of which is also attached to this letter. Form MB-1 has been updated to reflect several new mandates applicable to the 1999 reporting period. The completed Form MB-1 is due on or before **May 1, 2000**. **Lack of notice, lack of information, lack of means of producing the required data, or other such reasons will not be accepted for not filing a complete and accurate report in a timely manner.**

Companies should refer to 14 VAC 5-190-40 for an explanation of the circumstances under which a full and complete or an abbreviated report must be filed. This section also describes the circumstances under which a company may be exempt from filing a report. The total Virginia annual written premium for all accident and sickness policies or contracts referred to in this section of the administrative code is the amount reported to the Commission on the company's **1999 Annual Statement**, and that amount must be used to determine the type of report required.

Each licensed company is required to submit a separate Form MB-1. It is not acceptable to submit more than one Form MB-1 for a single company or consolidate information from different companies on one form.

The attached instructions explain the type of information required to complete Form MB-1 and serve to highlight frequent errors and omissions. All sources of information, including 14 VAC 5-190-10 et seq., §§ 38.2-3408 through 38.2-3418.7, as applicable, § 38.2-4221, and CPT and ICD-9-CM Codes should be consulted in the preparation of this report. It should be noted that the attached CPT and ICD-9-CM Codes are not intended to exhaust all medical codes that may be used in collecting data for Form MB-1, but are representative of some of the codes used.

Correspondence regarding this reporting requirement, including Form MB-1 filings, should be directed to:

Althelia P. Battle
Senior Insurance Market Examiner
Forms and Rates Section
Bureau of Insurance - Life and Health Division
P.O. Box 1157
Richmond, VA 23218
Telephone: (804) 371-9495
FAX: (804) 371-9944

Companies are reminded that failure to submit a substantially complete and accurate report pursuant to the provisions of 14 VAC 5-190-10 et seq. by **May 1, 2000**, may be considered a willful violation subject to a penalty as set forth in § 38.2-218 of the Code of Virginia.

/s/ Alfred W. Gross
Commissioner of Insurance

Form MB-1

Annual Report of Cost and Utilization Data Relating to Mandated Benefits and
Mandated Providers Pursuant to Section 38.2-3419.1 of the Code of Virginia

Cover Sheet

NAIC #: Group NAIC #: Reporting Year:

Company Name:

Group Name:

Mailing Address:

Contact:

Title:

Direct Phone #:

Mailing Address:

Total Premium for all Accident and Sickness Lines:

Total Premiums on Applicable Policies and Contracts:

Report Type (Abbreviated or Complete):

Part A: Claim Information - Benefits

PLEASE BE SURE TO COMPLETE THE TWO BOLDED BLOCKS IN COLUMN G.

WRITE "PAID" OR "INCURRED" IN THE BOX TO INDICATE THE BASIS USED TO COLLECT CLAIM DATA IN THIS REPORT.		a	b	c	d	e	f	g
VA Code Section	Description	Number of Visits	Number of Days	Total Claims Payments	Number of Contracts/Certificates	Claim Cost Per Contract/Certificate	Annual Administrative Cost	Percent of Total Health Claims
INDIVIDUAL	TOTAL CLAIMS PAID OR INCURRED							
38.2-3409	Dependent Children (Handicapped)							
38.2-3410	Doctor to Include Dentist							
38.2-3411	Newborn Children							
38.2-3411.1	Child Health Supervision							
38.2-3412.1	Mental / Emotional / Nervous							
	Inpatient							
	Partial Hospital							
	Outpatient							
38.2-3412.1	Alcohol and Drug Dependence							
	Inpatient							
	Partial Hospital							
	Outpatient							
38.2-3414.1	Postpartum Services							
38.2-3418	Pregnancy from Rape / Incest							
38.2-3418.1	Mammography							
38.2-3418.1.1	Bone Marrow Transplants							
38.2-3418.1.2	Pap Smears							
38.2-3418.2	Bones and Joints							
38.2-3418.3	Hemophilia & Congenital Bleeding Disorders							
38.2-3418.4	Reconstructive Breast Surgery							
38.2-3418.5	Early Intervention Services							
38.2-3418.7	PSA Testing							

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Part A: Claim Information - Benefits

PLEASE BE SURE TO COMPLETE THE TWO BOLDED BLOCKS IN COLUMN G.

WRITE "PAID" OR "INCURRED" IN THE BOX TO INDICATE THE BASIS USED TO COLLECT CLAIM DATA IN THIS REPORT.								
VA Code Section	Description	a Number of Visits	b Number of Days	c Total Claims Payments	d Number of Contracts/ Certificates	e Claim Cost Per Contract/ Certificate	f Annual Administrative Cost	g Percent of Total Health Claims
GROUP	TOTAL CLAIMS PAID OR INCURRED							
38.2-3409	Dependent Children (Handicapped)							
38.2-3410	Doctor to Include Dentist							
38.2-3411	Newborn Children							
38.2-3411.1	Child Health Supervision							
38.2-3412.1	Mental / Emotional / Nervous							
	Inpatient							
	Partial Hospital							
	Outpatient							
38.2-3412.1	Alcohol and Drug Dependence							
	Inpatient							
	Partial Hospital							
	Outpatient							
38.2-3414	Obstetrical Services							
	Normal Pregnancy							
	All Other							
38.2-3414.1	Postpartum Services							
38.2-3418	Pregnancy from Rape / Incest							
38.2-3418.1	Mammography							
38.2-3418.1:1	Bone Marrow Transplants							
38.2-3418.1:2	Pap Smears							
38.2-3418.2	Bones and Joints							
38.2-3418.3	Hemophilia & Congenital Bleeding Disorders							
38.2-3418.4	Reconstructive Breast Surgery							
38.2-3418.5	Early Intervention Services							
38.2-3418.7	PSA Testing							

Claim99.xls

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Part B: Claim Information - Providers

	a	b	c	d	e	f	g
VA Code Sections 38.2-3408 & 38.2-4221	Number of Visits	Total Claims Payments	Cost Per Visit	Number of Contracts/ Certificates	Claim Cost Per Contract/ Certificate	Annual Administrative Cost	Percent of Total Health Claims
INDIVIDUAL							
Chiropractor							
Optometrist							
Optician							
Psychologist							
Clinical Social Worker							
Podiatrist							
Professional Counselor							
Physical Therapist							
Clinical Nurse Specialist							
Audiologist							
Speech Pathologist							
Certified Nurse Midwife							
Licensed Acupuncturist							

Claim99.xls

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General Notices/Errata

Part B: Claim Information - Providers

	a	b	c	d	e	f	g
VA Code Sections 38.2-3408 & 38.2-4221	Number of Visits	Total Claims Payments	Cost Per Visit	Number of Contracts/ Certificates	Claim Cost Per Contract/ Certificate	Annual Administrative Cost	Percent of Total Health Claims
GROUP							
Chiropractor							
Optometrist							
Optician							
Psychologist							
Clinical Social Worker							
Podiatrist							
Professional Counselor							
Physical Therapist							
Clinical Nurse Specialist							
Audiologist							
Speech Pathologist							
Certified Nurse Midwife							
Licensed Acupuncturist							

Claim99.xls

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Part C: Premium Information

	VA Code Section	Individual Policy		Group Certificates	
		Single	Family	Single	Family
Standard Policy:					
Deductible					
Co-Insurance Percentage Paid by Insurer					
Individual/Employee Out-of-Pocket Maximum					
Annual Premium					
Premium Attributable to Each Mandate:					
Dependent Children (Handicapped)	38.2-3409				
Doctor to Include Dentist	38.2-3410				
Newborn Children	38.2-3411				
Child Health Supervision	38.2-3411.1				
Mental/Emotional/Nervous (Mental Disabilities)	38.2-3412.1				
Inpatient					
Partial Hospitalization					
Outpatient					
Alcohol and Drug Dependence	38.2-3412.1				
Inpatient					
Partial Hospitalization					
Outpatient					
Obstetrical Services	38.2-3414				
Normal Pregnancy					
All Other					
Postpartum Services	38.2-3414.1				
Pregnancy from Rape or Incest	38.2-3418				
Mammography	38.2-3418.1				
Bone Marrow Transplants	38.2-3418.1.1				
Pap Smears	38.2-3418.1.2				
Bones and Joints	38.2-3418.2				
Hemophilia and Congenital Bleeding Disorders	38.2-3418.3				
Reconstructive Breast Surgery	38.2-3418.4				
Early Intervention Services	38.2-3418.5				

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Part C: Premium Information

	VA Code Section	Individual Policy		Group Certificates	
		Single	Family	Single	Family
PSA Testing	38.2-3418.7				
Chiropractor	38.2-3408/4221				
Optometrist	38.2-3408/4221				
Optician	38.2-3408/4221				
Psychologist	38.2-3408/4221				
Clinical Social Worker	38.2-3408/4221				
Podiatrist	38.2-3408/4221				
Professional Counselor	38.2-3408/4221				
Physical Therapist	38.2-3408/4221				
Clinical Nurse Specialist	38.2-3408/4221				
Audiologist	38.2-3408/4221				
Speech Pathologist	38.2-3408/4221				
Certified Nurse Midwife	38.2-3408/4221				
Licensed Acupuncturist	38.2-3408/4221				
Number of Contracts/Certificates:					
Issued or Renewed					
In Force					
Annual Premium for Individual Standard Policy (30 year old male in Richmond):					
Without Mandates					
With Mandates					
Average Dollar Amount for Converting Group to Individual:					
Covered in Policy or Certificate					
Onetime Charge					

Claim99.xls

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Part D: Utilization and Expenditures for Selected Procedures by Provider Type

Procedure Code / Provider Type	Number of Visits	Claims Payments	Cost Per Visit
1. 99203 - Office Visit, Intermediate Service to New Patient			
Chiropractor			
Clinical Social Worker			
Physical Therapist			
Podiatrist			
Professional Counselor			
Psychologist			
Physician			
Certified Nurse Midwife			
2. 90806-90807, 90818-90819 - Medical Psychotherapy, 45 to 50 Minute Session			
Clinical Nurse Specialist			
Clinical Social Worker			
Professional Counselor			
Psychiatrist			
Psychologist			
Physician			
3. 90853 - Group Medical Psychotherapy			
Clinical Nurse Specialist			
Clinical Social Worker			
Professional Counselor			
Psychiatrist			
Psychologist			
Physician			
4. 92507 - Speech, Language or Hearing Therapy; Individual			
Audiologist			
Clinical Social Worker			
Physical Therapist			
Professional Counselor			
Speech Pathologist			
Physician			

Claim99.xls

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Part D: Utilization and Expenditures for Selected Procedures by Provider Type

Procedure Code / Provider Type	Number of Visits	Claims Payments	Cost Per Visit
5. 97110 - Physical Medicine Treatment, each 15 minutes, Therapeutic Exercise			
Chiropractor			
Physical Therapist			
Physician			
Podiatrist			
Speech Pathologist			
6. 97124 - Physical Medicine Treatment, Massage			
Chiropractor			
Physical Therapist			
Physician			
Podiatrist			
7. 97035 - Physical Medicine Treatment, Ultrasound, each 15 minutes			
Chiropractor			
Physical Therapist			
Physician			
Podiatrist			
8. 92352 - Fitting of Spectacle Prosthesis for Aphakia, monofocal			
Ophthalmologist			
Optician			
Optometrist			
Physician			
9. 11750 - Excision of Nail and Nail Matrix, Partial or Complete, for Permanent Removal			
Physician			
Podiatrist			

Form MB-1 Instructions

Form MB-1 Instructions and Information

COVER SHEET:

The amount entered for **Total Premium for all Accident and Sickness Lines** should be consistent with the total accident and sickness premium written in Virginia as **reported on the Company's Annual Statement for the 1999 reporting period** for all accident and sickness lines. This includes credit accident and sickness, disability income, and all other categories of health insurance without regard to their being subject to the provisions of §§ 38.2-3408 or 38.2-4221 and §§ 38.2-3409 through 38.2-3419 of the Code of Virginia. This amount should not be adjusted.

The amount entered for **Total Premiums on Applicable Policies and Contracts** should be the total accident and sickness premiums written in Virginia on applicable policies and contracts, as defined in 14 VAC 5-190-30 that are subject to the Mandated Benefits and Offers as set forth in §§ 38.2-3408 or 38.2-4221, and §§ 38.2-3409 through 38.2-3419 for the reporting period. Only written premiums on applicable policies and contracts should be included. Policies and contracts issued in Virginia to an individual or group or to a discretionary group situated outside of Virginia, for which the company is unable to provide documentation required in § 38.2-3522.1 and subject to Mandated Benefits and Offers as provided in § 38.2-3408 or § 38.2-4221, and § 38.2-3409 through § 38.2-3419 are considered applicable policies and contracts.

Report Type (Abbreviated or Complete) - the company must determine eligibility to file an abbreviated report under 14 VAC 5-190-40 C or a complete report under 14 VAC 5-190-40 A for the **1999 reporting period**. Companies submitting an abbreviated report must submit the cover sheet of Form MB-1 *as well as* a breakdown of the premium by policy type (e.g., Medicare supplement, major medical disability income, limited benefit) and by situs (e.g., Virginia, Illinois) required by 14 VAC 5-190-40 D.

Part A: Claim Information - Benefits

Part A requires disclosure of specific claim data for each mandated benefit and mandated offer for both individual and group business. Carriers are reminded that the basis on which claim data is presented must be reported, either "Paid" or "Incurred." "Paid" or "Incurred" must be entered in the appropriate space at the top of the form, and the basis must be consistent throughout the report.

Total claims paid/incurred, (TOTAL CLAIMS PD/INCURRED) for individual contracts and group certificates refers to all claims paid or incurred under the types of policies that are subject to the Mandated Benefits. This amount should not be the total of claim payments entered in column c, rather a total of all claims for all covered services, including both mandated benefits and those not mandated, and paid or incurred under applicable contracts or certificates. This amount has been omitted by several carriers reporting previously. The Bureau can not compile the information reported without this amount. **It is imperative that this**

amount be entered in column g. This amount is the only data entered in column g, part A.

Columns a and b - "Number of Visits" or "Number of Days" refers to the number of provider and physician visits, and the number of inpatient or partial hospital days, as applicable. The numbers reported should be consistent with the type of service rendered. For example, number of days (column b) should not be reported unless the claim dollars being reported were paid or incurred for inpatient or partial hospitalization.

Claims reported for § 38.2-3409, Handicapped Dependent Children should include only those claims paid or incurred as a result of a continuation of coverage because the dependent has attained the specified age as set forth in the policy for a dependent child.

Claims reported for § 38.2-3410, Doctor to Include Dentist, should include only claims for treatment normally provided by a physician, but was provided by a dentist. Claims for normal or routine dental services should not be reported.

Column c -Total Claims Payments - companies should enter the total of claims paid or incurred for the mandate.

Column d - Number of Contracts/Certificates

Individual business - companies should report the number of individual **contracts** issued or renewed in Virginia during the reporting period which contain the benefits and providers listed. The number of contracts should be consistent throughout column d, except in the case of mandated offers, which may be less.

Group business - companies should report the number of group **certificates** issued or renewed in Virginia during the reporting period which contain the benefits and providers listed, not the number of group contracts. This number should also be consistent except for mandated offers, which may be less.

Column e - Claim Cost Per Contract/Certificate. This amount is computed by dividing the amount entered in column c by the number entered in column d. **It is not necessary for reporting companies to enter this amount.** The Bureau's software will compute this amount automatically.

Column f - Annual Administrative Cost should only include 1999 administrative costs (not start-up costs, unless those costs were incurred during the reporting period).

Column g - The Percentage of Total Health Claims computed in column g will be computed automatically by the Bureau's software.

PART B: CLAIM INFORMATION - PROVIDERS

In determining the cost of each mandate, it is expected that claim and other actuarial data will be used. A listing of the CPT and ICD-9-CM Codes which should be used in collecting the required data is attached for your convenience.

Column a - Number of Visits is the number of visits to the provider group for which claims were paid or incurred.

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Column b - Total Claims Payments is the total dollar amount of claims paid to the provider group.

Column c - Cost Per Visit is computed by dividing the amount entered in column b by the number entered in column a. **It is not necessary for reporting companies to enter this amount.** The Bureau's software will compute this amount automatically.

Column d - Number of Contracts/Certificates

Individual business - report the number of individual **contracts** issued or renewed in Virginia during this reporting period that are subject to this reporting requirement.

Group business - report the number of group **certificates** issued or renewed in Virginia during this reporting period that are subject to this reporting requirement.

Column e - Claim Cost Per Contract/Certificate - (both individual and group business) is the number entered in column b divided by the number entered in column d. **It is not necessary for reporting companies to enter this number.** The Bureau's software will compute this number automatically.

Column f - Annual Administrative Cost should only include 1999 administrative costs (not start-up costs, unless those costs were incurred during the reporting period).

Column g - Percent of Total Health Claims is the claims paid or incurred for services administered by each provider type as a percentage of the total amount of all health claims paid or incurred subject to this reporting requirement. **It is not necessary for reporting companies to enter this number.** The Bureau's software will compute this number automatically.

PART C: PREMIUM INFORMATION

Standard Policy

Use what you consider to be your standard individual policy and/or group certificate to complete the deductible amount, the coinsurance paid by the insurer, and the individual/employee out-of-pocket maximum. These amounts should be entered under the heading of Individual Policy and/or Group Certificates, as applicable, in the **un-shaded** blocks.

For your standard health insurance policy in Virginia, provide the total **annual premium** that would be charged per unit of coverage assuming inclusion of all of the benefits and providers listed. A separate annual premium should be provided for Individual Policies and Group Certificates, both single and family.

Premium Attributable to Each Mandate

Provide the portion (dollar amount) of the annual premium for each policy that is attributable to each mandated benefit, offer and provider. If the company does not have a "Family" rating category, coverage for two adults and two children is to be used when calculating the required family premium.

Please indicate where coverage under your policy exceeds Virginia mandates. It is understood that companies do not

usually rate each benefit and provider separately. **However, for the purpose of this report it is required that a dollar amount be assigned to each benefit and provider based on the company's actual claim experience, such as that disclosed in Parts A and B, and other relevant actuarial information.**

Number of Contracts/Certificates

Provide the number of individual contracts and/or group certificates *issued and/or renewed* by the Company in Virginia **during the reporting period** (1/1/99 –12/31/99) in the appropriate fields under each heading.

Provide the number of individual contracts and/or group certificates *in force* for the company in Virginia as of the **last day of the reporting period** (12/31/99) in the appropriate fields under each heading.

Annual Premium for Individual Standard Policy (30 year old male in Richmond)

Enter the annual premium for an individual policy with no mandated benefits or mandated providers for a 30 year old male in the Richmond area in your standard premium class in the appropriate line. Enter the cost for a policy for the same individual with present mandates in the appropriate line. (Assume coverage including \$250 deductible, \$1,000 stop-loss limit, 80% co-insurance factor, and \$250,000 policy maximum.) If you do not issue a policy of this type, provide the premium for a 30 year old male in your standard premium class for the policy that you offer that is most similar to the one described and summarize the differences from the described policy in a separate form. The premium for a policy "with mandates" should include all mandated benefits, offers, and providers.

Average Dollar Amount for Converting Group to Individual

Companies should provide information concerning the cost of converting group coverage to an individual policy. Information should be provided only as relevant to your company's practices.

If the company adds an amount to the annual premium of a **group policy or certificate** to cover the cost of conversion to an individual policy, provide the average dollar amount per certificate under the "group certificate" heading in the fields for single and family coverages, as appropriate.

If the cost of conversion is covered in the annual premium of the **individual policy**, provide the average dollar amount attributable to the conversion requirement under the heading "Individual Policy" in the fields for single or family coverages, as appropriate.

If the cost of conversion is covered by a **one-time charge** made to the group policyholder for each conversion, provide the average dollar amount under the heading "Group Certificates" in the fields for single or family coverages, as appropriate.

PART D - UTILIZATION AND EXPENDITURES FOR SELECTED PROCEDURES BY PROVIDER TYPE

Selected Procedure Codes are listed in Part D to obtain information about utilization and costs for specific types of services. Please identify expenditures and visits for the Procedure Codes indicated. Other claims should not be included in this Part. Individual and Group data must be combined for this part of the report.

Claim data should be reported by procedure code and provider type. "Physician" refers to medical doctors.

Data should only reflect paid claims. Unpaid claims should not be included.

It is not necessary to report the Cost Per Visit. The Bureau's software will compute this amount automatically.

GENERAL

Information provided on Form MB-1 should only reflect the experience of contracts or certificates delivered or issued for delivery in the Commonwealth of Virginia and subject to Virginia mandated benefits, mandated offers and provider statutes.

Note the addition of data to be reported in Part B: Claim Information - Providers, **Coverage for Services Performed by a Licensed Acupuncturist**, §§ 38.2-3408 and 38.2-4221. This is the first reporting year for this information.

Companies should not enter information in the shaded fields.

A. CPT and ICD-9-CM Codes

The codes provided are from the 1999 edition of *Physicians' Current Procedural Terminology*, and *International Classification of Diseases - Clinical Modification*. Companies are advised to refer to the complete listing of CPT and ICD-9-CM codes to ensure compliance with all reporting requirements. It is the company's responsibility to keep abreast of changes that may appear in revised editions.

Va. Code Section 38.2-3410: Doctor to Include Dentist
(Medical services legally rendered by dentists and covered under contracts other than dental)

ICD Codes

520-529 Diseases of oral cavity, salivary glands and jaws

Va. Code Section 38.2-3411: Newborn Children
(children less than 32 days old)

ICD Codes

740-759 Congenital anomalies
760-763 Maternal causes of perinatal morbidity and mortality
764-779 Other conditions originating in the perinatal period

CPT Codes

99295 Initial NICU care, per day, for the evaluation and management of a critically ill neonate or infant
99296 Subsequent NICU care, per day, for the evaluation and management of a critically ill and unstable neonate or infant
99297 Subsequent NICU care, per day, for the evaluation and management of a critically ill though stable neonate or infant
99431 History and examination of the normal newborn infant, initiation of diagnostic and treatment programs and preparation of hospital records
99432 Normal newborn care in other than hospital or birthing room setting, including physical examination of baby and conference(s) with parent(s)
99433 Subsequent hospital care, for the evaluation and management of a normal newborn, per day
99440 Newborn resuscitation: provision of positive pressure ventilation and/or chest compressions in the presence of acute inadequate ventilation and/or cardiac output

Va. Code Section 38.2-3412.1: Mental/Emotional/Nervous Disorders

(must use UB-82 place-of-service codes from Section B of this Appendix to differentiate between inpatient, partial hospitalization, and outpatient claims)

ICD Codes

290, 293-294 Organic Psychotic Conditions
295-299 Other psychoses
300-302, Neurotic disorders, personality disorders, sexual deviations, other non-psychotic
306-316 mental disorders
317-319 Mental retardation

CPT Codes

99221-99223 Initial hospital care, per day, for the evaluation and management of a patient
99231-99233 Subsequent hospital care, per day, for the evaluation and management of a patient
99238 Hospital discharge day management; 30 minutes or less
99241-99255 Initial consultation for psychiatric evaluation of a patient includes examination of a patient and exchange of information with primary physician and other informants such as nurses or family members, and preparation of report.
99261-99263 Follow up consultation for psychiatric evaluation of an inpatient
90801 Psychiatric diagnostic interview examination
90802 Interactive psychiatric diagnostic interview examination using play equipment, physical devices, language interpreter, or other mechanism of communication
90804 Individual psychotherapy, insight oriented, behavior modifying and/or supportive, in an office or outpatient facility, approximately 20 to 30 minutes face-to-face with the patient

General Notices/Errata

90805	with medical evaluation and management services		
90806	Individual psychotherapy, insight oriented, behavior modifying and/or supportive, in an office or outpatient facility, approximately 45 to 50 minutes face-to-face with the patient	90824	with medical evaluation and management services
90807	with medical evaluation and management services	90826	Individual psychotherapy, interactive, using play equipment, physical devices, language interpreter, or other mechanisms of nonverbal communication, in an inpatient hospital, partial hospital or residential care setting, approximately 45 to 50 minutes face-to-face with the patient
90808	Individual psychotherapy, insight oriented, behavior modifying and/or supportive, in an office or outpatient facility, approximately 75 to 80 minutes face-to-face with the patient		
90809	with medical evaluation and management services	90827	with medical evaluation and management services
90810	Individual psychotherapy, interactive, using play equipment, physical devices, language interpreter, or other mechanisms of nonverbal communication, in an office or outpatient facility, approximately 20 to 30 minutes face-to-face with the patient	90828	Individual psychotherapy, interactive, using play equipment, physical devices, language interpreter, or other mechanisms of nonverbal communication, in an inpatient hospital, partial hospital or residential care setting, approximately 75 to 80 minutes face-to-face with the patient
90811	with medical evaluation and management services		
90812	Individual psychotherapy, interactive, using play equipment, physical devices, language interpreter, or other mechanisms of nonverbal communication, in an office or outpatient facility, approximately 45 to 50 minutes face-to-face with the patient	90829	with medical evaluation and management services
90813	with medical evaluation and management services	90845	Psychoanalysis
90814	Individual psychotherapy, interactive, using play equipment, physical devices, language interpreter, or other mechanisms of nonverbal communication, in an office or outpatient facility, approximately 75 to 80 minutes face-to-face with the patient	90846	Family psychotherapy (without the patient present)
90815	with medical evaluation and management services	90847	Family psychotherapy (conjoint psychotherapy) (with patient present)
90816	Individual psychotherapy, insight oriented, behavior modifying and/or supportive, in an inpatient hospital, partial hospital or residential care setting, approximately 20 to 30 minutes face-to-face with the patient	90849	Multiple-family group psychotherapy
90817	with medical evaluation and management services	90853	Group psychotherapy (other than of a multiple-family group)
90818	Individual psychotherapy, insight oriented, behavior modifying and/or supportive, in an inpatient hospital, partial hospital or residential care setting, approximately 45 to 50 minutes face-to-face with the patient	90857	Interactive group psychotherapy
90819	with medical evaluation and management services	90885	Psychiatric evaluation of hospital records, other psychiatric reports, psychometric and/or projective tests, and other accumulated data for medical diagnostic purposes
90821	Individual psychotherapy, insight oriented, behavior modifying and/or supportive, in an inpatient hospital, partial hospital or residential care setting, approximately 75 to 80 minutes face-to-face with the patient	96100	Psychological testing (includes psychodiagnostic assessment of personality, psychopathology, emotionality, intellectual abilities, e.g., WAIS-R, Rorschach, MMPI) with interpretation and report, per hour
90822	with medical evaluation and management services		
90823	Individual psychotherapy, interactive, using play equipment, physical devices, language interpreter, or other mechanisms of nonverbal		
			Other Psychiatric Services or Procedures
		90862	Pharmacologic management, including prescription, use, and review of medication with no more than minimal medical psychotherapy
		90865	Narcosynthesis for psychiatric diagnostic and therapeutic purposes
		90870	Electroconvulsive therapy, single seizure
		90871	multiple seizures, per day
		90880	Hypnotherapy
		90882	Environmental intervention for medical management purposes on a psychiatric patient's behalf with agencies, employers, or institutions
		90887	Interpretation or explanation of results of psychiatric, other medical examinations and procedures, or other accumulated data to family or other responsible persons, or advising them how to assist patient
		90889	Preparation of report of patient's psychiatric status, history, treatment, or progress (other

than for legal or consultative purposes) for other physicians, agencies, or insurance carriers
90899 Unlisted psychiatric service or procedure

Va. Code Section 38.2-3412.1: Alcohol and Drug Dependence

ICD Codes

291 Alcoholic Psychoses
303 Alcohol dependence syndrome
292 Drug Psychoses
304 Drug dependence
305 Nondependent abuse of drugs

CPT Codes

Same as listed above for Mental/Emotional/Nervous Disorders, but for above listed conditions.

Va. Code Section 38.2-3414: Obstetrical Services

Normal Delivery, Care in Pregnancy, Labor and Delivery

ICD Codes

650 Delivery requiring minimal or no assistance, with or without episiotomy, without fetal manipulation [e.g., rotation version] or instrumentation [forceps] of spontaneous, cephalic, vaginal, full-term, single, live born infant. This code is for use as a single diagnosis code and is not to be used with any other code in the range 630 - 676

CPT Codes

Any codes in the maternity care and delivery range of 59000-59899 associated with ICD Code 650 listed above

All Other Obstetrical Services

ICD Codes

630-677 Complications of pregnancy, childbirth, and the puerperium

CPT Codes

Incision, Excision, Introduction, and Repair

59000 Amniocentesis, any method
59012 Cordocentesis (intrauterine), any method
59015 Chorionic villus sampling, any method
59020 Fetal contraction stress test
59025 Fetal non-stress test
59030 Fetal scalp blood sampling
59050 Fetal monitoring during labor by consulting physician (i.e., non-attending physician) with written report; supervision and interpretation
59100 Hysterotomy, abdominal (e.g., for hydatidiform mole, abortion)
59120 Surgical treatment of ectopic pregnancy; tubal or ovarian, requiring salpingectomy and/or oophorectomy, abdominal or vaginal approach
59121 tubal or ovarian, without salpingectomy and/or oophorectomy (59120)
59130 abdominal pregnancy (59120)
59135 interstitial, uterine pregnancy requiring total hysterectomy (59120)

59136 interstitial, uterine pregnancy with partial resection of uterus (59120)
59140 cervical, with evacuation (59120)
59150 Laparoscopic treatment of ectopic pregnancy; without salpingectomy and/or oophorectomy
59151 with salpingectomy and/or oophorectomy (59150)
59160 Curettage, postpartum
59200 Insertion of cervical dilator (e.g., laminaria, prostaglandin) (separate procedure)
59300 Episiotomy or vaginal repair, by other than attending physician
59320 Cerclage of cervix, during pregnancy; vaginal
59325 abdominal (59320)
59350 Hysterorrhaphy of ruptured uterus

Vaginal Delivery, Antepartum and Postpartum Care

59400 Routine obstetric care including antepartum care, vaginal delivery (with or without episiotomy, and/or forceps) and postpartum care
59409 Vaginal delivery only (with or without episiotomy and/or forceps)
59410 including postpartum care (59409)
59412 External cephalic version, with or without tocolysis
59414 Delivery of placenta (separate procedure)
59425 Antepartum care only; 4-6 visits
59426 7 or more visits (59425)
59430 Postpartum care only (separate procedure)

Cesarean Delivery

59510 Routine obstetric care including antepartum care, cesarean delivery, and postpartum care
59514 Cesarean delivery only
59515 including postpartum care (59514)
59525 Subtotal or total hysterectomy after cesarean delivery (list in addition to 59510, 59514, 59515)

Abortion

99201-99233 Medical treatment of spontaneous complete abortion, any trimester
59812 Treatment of incomplete abortion, any trimester, completed surgically
59820 Treatment of missed abortion, completed surgically; first trimester
59821 second trimester (59820)
59830 Treatment of septic abortion, completed surgically
59840 Induced abortion, by dilation and curettage
59841 Induced abortion, by dilation and evacuation
59850 Induced abortion, by one or more intra-amniotic injections (amniocentesis-injections), including hospital admission and visits, delivery of fetus and secundines;
59851 with dilation and curettage and/or evacuation (59850)
59852 with hysterotomy (failed intra-amniotic injection) (59850)

General Notices/Errata

Other Procedures		90648	Hemophilus influenza b vaccine (Hib), PRO-T conjugate (4 dose schedule), for intramuscular use
59870	Uterine evacuation and curettage for hydatidiform mole	90700	Diphtheria, tetanus toxoids, and acellular pertussis vaccine (DTaP)
59871	Removal of cerclage suture under anesthesia (other than local)	90701	Diphtheria, tetanus toxoids, and whole cell pertussis vaccine (DTP)
59899	Unlisted procedure, maternity care and delivery	90702	Diphtheria and tetanus toxoids (DT)
Anesthesia		90703	Tetanus toxoid
00850	Cesarean section	90704	Mumps virus vaccine, live
00855	Cesarean hysterectomy	90705	Measles virus vaccine, live
00857	Continuous epidural analgesia, for labor and cesarean section	90706	Rubella virus vaccine, live
Va. Code Section 38.2-3414.1: Obstetrical benefits; Coverage for postpartum services		90707	Measles, mumps and rubella virus vaccine (MMR), live
ICD Codes		90708	Measles and rubella virus vaccine, live
V24	Postpartum care and examination	90709	Rubella and mumps virus vaccine, live
V24.0	Immediately after delivery	90710	Measles, mumps, rubella, and varicella vaccine (MMRV), live
V24.1	Lactating mother	90712	Poliovirus vaccine, (any type(s)) (OPV), live, for oral use
V24.2	Routine postpartum follow-up	90716	Varicella virus vaccine, live
CPT Codes		90720	Diphtheria, tetanus toxoids, and whole cell pertussis vaccine and Hemophilus influenza B vaccine (DTP-Hib)
59610	Routine obstetric care and postpartum care, after previous cesarean delivery	New Patient	
59614	including postpartum care (59612)	Initial preventive medicine evaluation and management of an individual including a comprehensive history, a comprehensive examination, counseling/anticipatory guidance/risk factor reduction interventions, and the ordering of appropriate laboratory/diagnostic procedures, new patient; infant (age under 1 year)	
59618	Routine obstetric care including postpartum care, following attempted vaginal delivery after previous cesarean delivery		
59622	including postpartum care (59620)		
Use same codes as obstetrical services in cases where coverage is provided solely due to the provisions of § 38.2-3414.1		99381	early childhood (age 1 through 4 years) (99381)
Va. Code Section 38.2-3418: Pregnancy from Rape/Incest		99382	late childhood (age 5 through 11 years) (99381)
Same Codes as Obstetrical Services/Any Other Appropriate in cases where coverage is provided solely due to the provisions of § 38.2-3418 of the Code of Virginia		99383	
Va. Code Section 38.2-3418.1: Mammography		Established Patient	
CPT Codes		96110	Developmental testing; limited (e.g., Developmental Screening Test II, Early Language Milestone Screen), with interpretation and report
76092	Screening Mammography, bilateral (two view film study of each breast)	99391	Periodic preventive medicine reevaluation and management of an individual including a comprehensive history, comprehensive examination, counseling/anticipatory guidance/risk factor reduction interventions, and the ordering of appropriate laboratory/diagnostic procedures, established patient; infant (age under 1 year)
Va. Code Section 38.2-3411.1: Child Health Supervision, Services (Well Baby Care)		99392	early childhood (age 1 through 4 years) (99391)
CPT Codes		99393	late childhood (age 5 through 11 years) (99391)
90645	Hemophilus influenza b vaccine (Hib), HbOC conjugate (4 dose schedule), for intramuscular use	81000	Urinalysis, by dip stick or tablet reagent for bilirubin, glucose, hemoglobin, ketones, leukocytes, nitrite, pH, protein, specific gravity, urobilinogen, any number of these constituents; non-automated, with microscopy
90646	Hemophilus influenza b vaccine (Hib), PRP-D conjugate, for booster use only, intramuscular use		
90647	Hemophilus influenza b vaccine (Hib), PRP-OMP conjugate (3 dose schedule), for intramuscular use		

84030 Phenylalanine (PKU), blood
86580 Tuberculosis, intradermal
86585 Tuberculosis, tine test

**Va. Code Section 38.2-3418.1:1: Bone Marrow Transplants
(applies to Breast Cancer Only)**

ICD Codes

174 through 174.9 – malignant neoplasm of female breast
175 through 175.9 – malignant neoplasm of male breast

CPT Codes

36520 Therapeutic apheresis (plasma and/or cell exchange)
38241 autologous
86950 Leukocyte transfusion

The Bureau is aware that because of the changing and unique nature of treatment involving this diagnosis and treatment procedures, reporting only those claim costs associated with these codes will lead to significant under reporting. Accordingly, if one of the ICD Codes and any of the CPT codes shown above are utilized, the insurer should report all claim costs incurred within thirty (30) days prior to the CPT Coded procedure as well as all claim costs incurred within ninety (90) days following the CPT Coded procedure.

Va. Code Section 38.2-3418.1:2: Coverage for Pap Smears

ICD Codes

V72.3 Papanicolaou smear as part of general gynecological examination
V76.2 Routine cervical Papanicolaou smear

CPT Codes

88141 Cytopathology, cervical or vaginal (any reporting system); requiring interpretation by physician
88142 Cytopathology, cervical or vaginal (any reporting system), collected in preservative fluid, automated thin layer preparation, manual screening under physician supervision
88150 Cytopathology, slides, cervical or vaginal; manual screening under physician supervision
88152 with manual screening and computer-assisted rescreening under physician supervision
88155 Cytopathology, slides, cervical or vaginal, definitive hormonal evaluation (e.g., maturation index, karyopyknotic index, estrogenic index)

Va. Code Section 38.2-3418.2: Procedures Involving Bones and Joints

ICD Codes

524.6 - Temporomandibular Joint Disorders
524.69
719 - 719.6, Other and Unspecified Disorders of Joint
719.9
719.8 Other Specified Disorders of Joint

CPT Codes

20605 Intermediate joint, bursa or ganglion cyst (e.g., temporomandibular, acromioclavicular, wrist, elbow or ankle, olecranon bursa)
21010 Arthrotomy, temporomandibular joint
21050 Condylectomy, temporomandibular joint (separate procedure)
21060 Meniscectomy, partial or complete, temporomandibular joint (separate procedure)
21070 Coronoidectomy (separate procedure)
21116 Injection procedure for temporomandibular joint arthrography
21125 Augmentation, mandibular body or angle; prosthetic material
21127 with bond graft, onlay or interpositional (includes obtaining autograft)
21141 Reconstruction midface. LeFort I
21145 single piece, segment movement in any direction, requiring bone grafts
21146 two pieces, segment movement in any direction, requiring bone grafts
21147 three or more pieces, segment movement in any direction, requiring bone grafts
21150 Reconstruction midface, LeFort II; anterior intrusion
21151 any direction, requiring bone grafts
21193 Reconstruction of mandibular rami, horizontal, vertical, "C", or "L" osteotomy; without bone graft
21194 with bone graft (includes obtaining graft)
21195 Reconstruction of mandibular rami and/or body, sagittal split; without internal rigid fixation
21196 with internal rigid fixation
21198 Osteotomy, mandible, segmental
21206 Osteotomy, maxilla, segmental (e.g., Wassmund or Schuchard)
21208 Osteoplasty, facial bones; augmentation (autograft, allograft, or prosthetic implant)
21209 reduction
21210 Graft, bone; nasal, maxillary or malar areas (includes obtaining graft)
21215 mandible (includes obtaining graft)
21240 Arthroplasty, temporomandibular joint, with or without autograft (includes obtaining graft)
21242 Arthroplasty, temporomandibular joint, with allograft
21243 Arthroplasty, temporomandibular joint, with prosthetic joint replacement
21244 Reconstruction of mandible, extraoral, with transosteal bone plate (e.g., mandibular staple bone plate)
21245 Reconstruction of mandible or maxilla, subperiosteal implant; partial
21246 complete
21247 Reconstruction of mandibular condyle with bone and cartilage autografts (includes obtaining grafts) (e.g., for hemifacial microsomia)
21480 Closed treatment of temporomandibular dislocation; initial or subsequent
21485 complicated (e.g., recurrent requiring intermaxillary fixation or splinting), initial or subsequent

General Notices/Errata

21490	Open treatment of temporomandibular dislocation	85345	Coagulation time; Lee and White
29800	Arthroscopy, temporomandibular joint, diagnostic, with or without synovial biopsy (separate procedure)	85347	activated
29804	Arthroscopy, temporomandibular joint, surgical	85348	other methods
69535	Resection temporal bone, external approach (For middle fossa approach, see 69950-69970)	85360	Euglobulin lysis
70100	Radiologic examination, mandible; partial, less than four views	85362	Fibrin (ogen) degradation (split) products (FDP)(FSP); agglutination slide, semiquantitative
70110	complete, minimum for four views	85366	paracoagulation
70328	Radiologic examination, temporomandibular joint, open and closed mouth; unilateral	85370	quantitative
70330	bilateral	85378	Fibrin degradation products, D-dimer; semiquantitative
70332	Temporomandibular joint arthrography, radiological supervision and interpretation	85379	quantitative
70336	Magnetic resonance (e.g., proton) imaging, temporomandibular joint	85384	Fibrinogen; activity
70486	Computerized axial tomography, maxillofacial area; without contrast material	85385	antigen
70487	with contrast material(s)	85390	Fibrinolysins or coagulopathy screen, interpretation and report
70488	without contrast material, followed by contrast material(s) and further sections	85400	Fibrinolytic factors and inhibitors; plasmin
Virginia Code § 38.2-3418.3 Hemophilia, Congenital Bleeding Disorders		85410	alpha-2 antiplasmin
ICD Codes		85415	plasminogen activator
286.0-286.9	Coagulation defects	85420	plasminogen, except antigenic assay
287.0-287.9	Purpura and other hemorrhagic conditions	85421	plasminogen, antigenic assay
CPT Codes		85441	Heinz bodies; direct
85170	Clot retraction	85445	induced, acetyl phenylhydrazine
85175	Clot lysis time, whole blood dilution	85460	Hemoglobin or RBCs, fetal, for fetomaternal hemorrhage; differential lysis (Kleihauer-Betke)
85210	Clotting; factor II, prothrombin, specific	85461	rosette
85220	factor V (AcG or proaccelerin), labile factor	85475	Hemolysin, acid
85230	factor VII (proconvertin, stable factor)	85520	Heparin assay
85240	factor VIII (AHG), one stage	85525	Heparin neutralization
85244	factor VIII related antigen	85530	Heparin-protamine tolerance test
85245	factor VIII, VW factor, ristocetin cofactor	85535	Iron stain (RBC or bone marrow smears)
85246	factor VIII, VW factor antigen	85540	Leukocyte alkaline phosphatase with count
85247	factor VIII, Von Willebrand's factor, multimetric analysis	85547	Mechanical fragility, RBC
85250	factor IX (PTC or Christmas)	85549	Muramidase
85260	factor X (Stuart-Prower)	85555	Osmotic fragility, RBC; unincubated
85270	factor XI (PTA)	85557	incubated
85280	factor XII (Hageman)	85576	Platelet; aggregation (in vitro), each agent
85290	factor XIII (fibrin stabilizing)	85585	estimation on smear, only
85291	factor XIII (fibrin stabilizing), screen solubility	85590	manual count
85292	prekallikrein assay (Fletcher factor assay)	85595	automated count
85293	high molecular weight kininogen assay (Fitzgerald factor assay)	85597	Platelet neutralization
85300	Clotting inhibitors or anticoagulants; antithrombin III, activity	85610	Prothrombin time;
85301	antithrombin III, antigen assay	85611	substitution, plasma fractions, each
85302	protein C, antigen	85651	Sedimentation rate, erythrocyte; non-automated
85303	protein C, activity	85652	automated
85305	protein S, total	85670	Thrombin time; plasma
85306	protein S, free	85675	titer
85335	Factor inhibitor test	85705	Thromboplastin inhibition; tissue
85337	Thrombomodulin	85730	Thromboplastin time, partial (PTT); plasma or whole blood
		85732	substitution, plasma fractions, each
		85810	Viscosity
		85999	Unlisted hematology and coagulation procedure
		Virginia Code § 38.2-3418.4 Reconstructive Breast Surgery	
ICD Codes			
V50.1		Other plastic surgery for unacceptable cosmetic appearance	
V52.4		Breast prosthesis and implant	

CPT Codes

19318	Reduction mammoplasty
19324	Mammoplasty, augmentation; without prosthetic implant
19325	with prosthetic implant
19340	Immediate insertion of breast prosthesis following mastectomy or in reconstruction
19350	Nipple/areola reconstruction
19357	Breast reconstruction, immediate or delayed, with tissue expander, including subsequent expansion
19361	Breast reconstruction with latissimus dorsi flap, with or without prosthetic implant
19364	Breast reconstruction with free flap
19366	Breast reconstruction with other technique
19367	Breast reconstruction with transverse rectus abdominis myocutaneous flap (TRAM), single pedicle, including closure of donor site;
19368	with microvascular anastomosis (supercharging)
19369	Breast reconstruction with transverse rectus abdominis myocutaneous flap (TRAM), double pedicle, including closure of donor site
19370	Open periprosthetic capsulotomy, breast
19371	Periprosthetic capsulectomy, breast
19380	Revision of reconstructed breast
19396	Preparation of moulage for custom breast implant
19499	Unlisted procedure, breast

Virginia Code § 38.2-3418.5 Coverage for Early Intervention Services

ICD Codes

V57	Care involving use of rehabilitation procedures
V57.0	Breathing exercises
V57.1	Other physical therapy
V57.2	Occupational therapy and vocational rehabilitation
V57.3	Speech therapy
V57.4	Orthoptic training
V57.8	Other specified rehabilitation procedure
315.3	Developmental speech or language disorder
315.4	Coordination disorder
315.5	Mixed development disorder
315.8	Other specified delays in development
315.9	Unspecified delay in development
317-319	Mental retardation

CPT Codes

92506	Evaluation of speech, language, voice, communication, auditory processing, and/or aural rehabilitation status
92507	Treatment of speech, language, voice, communication, and/or auditory processing disorder (includes aural rehabilitation); individual
92508	group, two or more individuals
97001	Physical therapy evaluation
97002	Physical therapy re-evaluation
97003	Occupational therapy evaluation
97004	Occupational therapy re-evaluation

97010	Application of a modality to one or more areas; hot or cold packs
97012	traction, mechanical
97014	electrical stimulation (unattended)
97016	vasopneumatic devices
97018	paraffin bath
97020	microwave
97022	whirlpool
97024	diathermy
97026	infrared
97028	ultraviolet
97032	Electrical stimulation (manual)
97033	iontophoresis
97034	contrast baths
97035	ultrasound
97036	Hubbard tank
97039	Unlisted modality
97110	Therapeutic procedure
97112	neuromuscular reeducation
97113	aquatic therapy with therapeutic exercises
97116	gait training
97124	massage therapy
97139,97799	Unlisted therapeutic service or procedure (specify)
97140	Manual therapy techniques
97150	Group Therapeutic Procedures
97504	Orthotics fitting and training
97520	Prosthetic training
97530	Therapeutic activities
97535	Activities of daily living
97537	Community/work reintegration
97542	Wheelchair management
97545-97546	Work hardening/conditioning
97703	Checkout for orthotic/prosthetic use
97750	Physical performance test or measurement
97770	Cognitive skills development
98925-	Osteopathic manipulative treatment
98929	

Virginia Code § 38.2-3418.7 Coverage for PSA Testing

CPT Codes

84153	Prostate specific antigen (PSA); total
84154	free
86316	Immunoassay for tumor antigen

B. Uniform Billing Code Numbers (UB-82)

PLACE OF SERVICE CODES

Field Values	Report As:
10	Hospital, inpatient
1S	Hospital, affiliated hospice
1Z	Rehabilitation hospital, inpatient
20	Hospital, outpatient
2F	Hospital-based ambulatory surgical facility
2S	Hospital, outpatient hospice services
2Z	Rehabilitation hospital, outpatient

General Notices/Errata

30	Provider's office	Outpatient
3S	Hospital, office	Outpatient
40	Patient's home	Outpatient
4S	Hospice (Home hospice services)	Outpatient
51	Psychiatric facility, inpatient	Inpatient
52	Psychiatric facility, outpatient	Outpatient
53	Psychiatric day-care facility	Partial Hospitalization
54	Psychiatric night-care facility	Partial Hospitalization
55	Residential substance abuse treatment facility	Inpatient
56	Outpatient substance abuse treatment facility	Outpatient
60	Independent clinical laboratory	Outpatient
70	Nursing home	Inpatient
80	Skilled nursing facility/extended care facility	Inpatient
90	Ambulance; ground	Outpatient
9A	Ambulance; air	Outpatient
9C	Ambulance; sea	Outpatient
00	Other unlisted licensed facility	Outpatient

Agency Contact: Questions regarding Administrative Letter 2000-2 should be addressed to Althelia P. Battle, State Corporation Commission, Bureau of Insurance, Tyler Building, 6th Floor, P.O. Box 1157, Richmond, VA 23218, telephone (804) 371-9495.

DEPARTMENT OF CRIMINAL JUSTICE SERVICES

Edward Byrne Memorial Formula Grant Program

The Department of Criminal Justice Services will submit, on or before March 31, 2000, an application to the Bureau of Justice Assistance, U.S. Department of Justice, to obtain FY 2000 funding available through the Edward Byrne Memorial Formula Grant Program. The application requests a total of \$11,705,362 in federal funds. The department and the Criminal Justice Services Board anticipate using these funds beginning on July 1, 2000, to support local and state agency community-oriented justice projects, projects for school resource officers, drug treatment, crime prevention, training and technical assistance and other criminal justice system improvements which have previously received funding through this grant program.

The application is available for public review at the department's offices at 805 East Broad Street, Richmond, Virginia 23219, and comments from the public are welcome. Inquiries should be directed to Joe Marshall at (804) 786-1577 or by e-mail to jmarshall@dcjs.state.va.us.

VIRGINIA EMPLOYMENT COMMISSION

Periodic Review of Regulations

Pursuant to Executive Order Number 25 (98), the Virginia Employment Commission has scheduled the regulations listed below for review. The VEC will conduct this review to determine whether the regulations should be terminated, amended, or retained as written. If any changes are deemed necessary, the VEC will file the appropriate documentation as required by statute and procedures established by the Registrar of Regulations.

The VEC seeks public comment to determine whether the regulations protect the public's health, safety, and welfare with the least possible cost and intrusiveness to the citizens of the Commonwealth.

16 VAC 5-10-10 et seq. Definitions and General Provisions.

Sets out a comprehensive list of definitions for words, phrases and terms of art used in the regulation. Establishes the public participation guidelines and procedures to be followed in the development and periodic review of regulations.

16 VAC 5-20-10 et seq. Unemployment Taxes.

Establishes procedures for the payment of unemployment taxes pursuant to Chapter 5 of Title 60.2 of the Code of Virginia and the posting of surety bonds by reimbursable employers.

16 VAC 5-32-10 et seq. Required Records and Reports.

Identifies the specific information that employers must maintain on their workers and establishes the requirements and procedures for filing reports with the Commission.

16 VAC 5-42-10 et seq. Combined Employer Accounts.

Designates the procedures by which group accounts for employers, as authorized in § 60.2-505, and joint accounts for governmental entities, as authorized in § 60.2-507, may be established.

16 VAC 5-50-10. Employer Elections to Cover Multistate Workers.

Establishes the criteria for the submission and approval of elections by employers to cover multistate workers in accordance with the Interstate Reciprocal Coverage Arrangement.

16 VAC 5-60-10 et seq. Benefits.

Establishes the procedures and requirements for the filing of initial, continued, and partial claims for unemployment compensation. The procedure for disposition of benefit checks payable to a deceased claimant, as well as the criteria for obtaining approval of training, are also set out.

16 VAC 5-70-10 et seq. Interstate and Multistate Claimants.

Establishes and designates the criteria and procedures that the Commission will follow in its administrative cooperation with other states for the filing and processing of interstate claims and combined-wage claims

16 VAC 5-80-10 et seq. Adjudication.

Establishes the procedures to be followed for adjudicating contested claims for benefits at the deputy, first level appeals, and commission review stages; authorizes designated employees to administer oaths and issue subpoenas.

Comments may be submitted through April 26, 2000, to Michael Worthington, Director of Planning and Policy, P.O. Box 1358 - Room 300, Richmond, VA 23218-1358, telephone (804) 371-6406, FAX (804) 225-3923, or e-mail mworthington@vec.state.va.us.

DEPARTMENT OF ENVIRONMENTAL QUALITY

Notice of Public Meeting and Public Comment-- Fecal Coliform Bacteria TMDL for Holsman Creek

The Department of Environmental Quality (DEQ) and the Department of Conservation and Recreation seek written and oral comments from interested persons on the development of a Total Maximum Daily Load (TMDL) Fecal Coliform Bacteria for Holsman Creek. The stream is located in Shenandoah County. The segment is identified in Virginia's 1998 § 303(d) TMDL Priority List and Report as impaired due to violations of the state's water quality standard for nitrate levels.

Section 303(d) of the Clean Water Act and § 62.1-44.19:7 C of the Code of Virginia require DEQ to develop TMDLs for pollutants responsible for each impaired water contained in Virginia's § 303(d) TMDL Priority List and Report.

The first public meeting on the development of the Fecal Coliform Bacteria TMDL will be held on Wednesday, April 12, 2000, at 7 p.m. at the Old School House in Forestville. The school is located at the intersection of State Route 42 (Senedo Road) and State Route 767 (Quicksburg Road).

The public comment period will end on April 25, 2000. A fact sheet on the development of the TMDL for Fecal Coliform Bacteria on Holmans Creek is available upon request. Questions or information requests should be addressed to Rod Bodkin. Written comments should include the name, address, and telephone number of the person submitting the comments and should be sent to Rod Bodkin, Department of Environmental Quality, 4411 Early Road, Harrisonburg, Virginia 22801, telephone (540) 574-7801, FAX (540) 574-7878, or e-mail rvbodkin@deq.state.va.us.

DEPARTMENT OF HEALTH PROFESSIONS

Notice of Periodic Review of Regulations--Request for Comment

The following boards within the Department of Health Professions are conducting reviews of all regulations providing for public participation in the promulgation of regulations:

Board of Audiology and Speech-Language Pathology, 18 VAC 30-10-10 et seq.
Board of Dentistry, 18 VAC 60-10-10 et seq.
Board of Funeral Directors and Embalmers, 18 VAC 65-10-10 et seq.
Board of Health Professions, 18 VAC 75-10-10 et seq.
Board of Medicine, 18 VAC 85-10-10 et seq.
Board of Nursing, 18 VAC 90-10-10 et seq.
Board of Nursing Home Administrators, 18 VAC 95-10-10 et seq.
Board of Optometry, 18 VAC 105-10-10 et seq.
Board of Pharmacy, 18 VAC 110-10-10 et seq.
Board of Licensed Professional Counselors, Marriage and Family Therapists and Substance Abuse Treatment Professionals, 18 VAC 115-10-10 et seq.
Board of Psychology, 18 VAC 125-10-10 et seq.
Board of Social Work, 18 VAC 140-10-10 et seq.
Board of Veterinary Medicine, 18 VAC 150-10-10 et seq.

The purposes of the Public Participation Guidelines are to ensure that (i) persons and organizations are noticed when the board is considering regulatory action and (ii) the public has the opportunity to comment on the promulgation of any regulation.

If any member of the public would like to comment on these regulations, please send comments by April 27, 2000, to:

Elaine J. Yeatts
Regulatory Boards Administrator
Department of Health Professions
6606 West Broad Street
Richmond, VA 23230

Comments may also be e-mailed to eyeatts@dhp.state.va.us or faxed to (804) 662-9114.

The above-referenced regulations for public participation may be viewed online at <http://leg1.state.va.us/000/reg/TOC.HTM#T0018> or www.townhall.state.va.us. Print copies are available upon request.

DEPARTMENT OF TRANSPORTATION

Notice of Periodic Review of Regulation Pursuant to Executive Order 25 (98)

Pursuant to Executive Order Number 25 (98), the Virginia Department of Transportation has scheduled the regulations listed below for review. VDOT will conduct this review to determine whether the regulation should be terminated,

General Notices/Errata

amended, or retained as written. If any changes are deemed necessary, VDOT will file the appropriate documentation as required to comply with applicable statute or other directives.

VDOT seeks public comment to determine whether the regulations (i) protect the public's health, safety, and welfare with the least possible cost and intrusiveness to the citizens of the Commonwealth and (ii) are clearly written and understandable.

24 VAC 30-16-10 et seq. Internal Audit Charter.

Establishes the organizational framework (mission, reporting relationship, authority, standards of practice, etc.) of VDOT's Internal Audit Division.

APA Exemption: § 9-6.14:4.1 C (2)

VDOT seeks to determine whether the regulation ensures the efficient and effective delivery of transportation programs and services.

24 VAC 30-17-10 et seq. Solicitation and Use of VDOT Buildings and Grounds for Non-Work Purposes.

Establishes criteria and procedures VDOT follows in granting access to and use of VDOT facilities for purposes other than transacting official state business.

APA Exemption: § 9-6.14:4.1 C (2)

VDOT seeks to determine whether the regulation ensures the efficient and effective operation of state facilities.

24 VAC 30-260-10 et seq. Debarment of Bidders.

Establishes policy and procedures the Commonwealth Transportation Board follows in determining debarment of bidders.

APA Exemption: § 9-6.14:4.1 B (2)

VDOT seeks to determine whether the regulation ensures VDOT's procurement operations are conducted efficiently and effectively.

24 VAC 30-340-10 et seq. Debarment/Suspension of Contractors Policy.

Establishes policy and procedures the Commonwealth Transportation Board follows in determining sanctions (debarment or suspension) of contractors.

APA Exemption: § 9-6.14:4.1 B (2)

VDOT seeks to determine whether the regulation ensures VDOT's procurement of contractors is conducted efficiently and effectively.

24 VAC 30-380-10 et seq. Public Hearings for the Location and Design of Highway Construction Projects.

Establishes criteria and procedures VDOT follows to solicit public comments concerning the establishment of new locations and the design of proposed highway construction projects.

VDOT seeks to determine whether the regulation (i) ensures the public an opportunity to comment on proposed highway construction projects and (ii) complies with federal and state statutory and procedural requirements concerning public participation for highway construction projects.

APA Exemption: § 9-6.14:4.1 B (3)

24 VAC 30-390-10 et seq. Virginia Scenic Highways and Byways.

Establishes policy objectives, criteria and procedures the Commonwealth Transportation Board, in coordination with the Director of the Department of Conservation and Recreation, follows in designating or de-designating Scenic Highways and Virginia Byways.

APA Exemption: § 9-6.14:4.1 B (3)

VDOT seeks to determine whether the regulation complies with applicable state statutes concerning the designation of Scenic Highways and Virginia Byways (§ 33.1-62 et seq.).

24 VAC 30-400-10 et seq. Disposal of Limited Access Control.

The Commonwealth Transportation Board may designate all or part of any existing or new highway as limited access; under this designation, all easements of access, light, or air must be extinguished. The Commonwealth Transportation Commissioner must pay damages, if any, to owners or properties abutting existing or new highways for the extinguishment of these rights. This policy establishes the rules the Commonwealth Transportation Board follows pertaining to limited access control.

APA Exemption: § 9-6.14:4.1 B (4)

24 VAC 30-410-10 et seq. Professional and Nonprofessional Services.

Establishes the general guidelines VDOT follows in procuring professional and nonprofessional services.

APA Exemption: § 9-6.14:4.1 B (2)

VDOT seeks to determine whether the regulation complies with state statutes (§ 11-35 et seq.) concerning procurement of professional and nonprofessional services.

24 VAC 30-420-10 et seq. Operation and Maintenance of Roads in Incorporated Towns of < 3,500.

Within statutory authority, establishes the policy the Commonwealth Transportation Board follows concerning road maintenance, improvement, construction, or reconstruction within incorporated towns of less than 3,500 population.

APA Exemption: § 9-6.14:4.1 B (4)

24 VAC 30-430-10 et seq. Maintenance of Roads Crossing the Interstate System.

Establishes VDOT's role in the maintenance of roads crossing the interstate system, including roads in cities and towns, roads in counties, and roads in Arlington and Henrico counties.

APA Exemption: § 9-6.14:4.1 B (4)

Comments may be submitted through April 19, 2000, to David L. Roberts, Policy Analyst Senior, Management Services Division, Department of Transportation, 1401 East Broad Street, Richmond, VA 23219, telephone (804) 786-3620, FAX (804) 371-0074 or e-mail roberts_dl@vdot.state.va.us.

Pursuant to Executive Order Number 25 (98), the Virginia Department of Transportation has scheduled the regulation listed below for review. VDOT will conduct this review to determine whether the regulation should be terminated, amended, or retained as written. If any changes are deemed necessary, VDOT will file the appropriate documentation as required to comply with applicable statute or other directives.

VDOT seeks public comment to determine whether the regulations (i) protect the public's health, safety, and welfare with the least possible cost and intrusiveness to the citizens of the Commonwealth and (ii) are clearly written and understandable.

24 VAC 30-360-10 et seq. Notice of Reductions of Weight Limits (Posted Structures Report M-50).

Pursuant to statute, lists locations of structures on the Primary and Secondary System of State Highways where traffic parameters (e.g., weight, speed, etc.) are limited for a period exceeding 90 days.

VDOT seeks to determine whether the regulation ensures compliance with state statute (§ 46.2-1104) requiring VDOT to keep a list of posted structures on file at the central office in Richmond.

APA Exemption: § 9-6.14:4.1 B (11)

Comments may be submitted through April 19, 2000, to James A. Cline, Assistance Maintenance Division Administrator, Maintenance Division, Department of Transportation, 1221 East Broad Street, 4th Floor, Richmond, VA 23219, telephone (804) 786-4271, FAX (804) 692-0810 or e-mail cline_ja@vdot.state.va.us.

STATE WATER CONTROL BOARD

Proposed Amended Special Order--Caroline County Board of Supervisors (Caroline County BOS Cannery)

The State Water Control Board proposes to issue a Consent Special Order (order) to the Caroline County Board of Supervisors regarding the Caroline County BOS Cannery located in Caroline County, Virginia.

The order requires that the Caroline County Board of Supervisors pay a civil charge for an alleged violation of the State Water Control Law resulting in an unpermitted discharge of process wastewater to an unnamed tributary of Maracossic Creek. The Board of Supervisors has agreed to the payment of the civil charge.

On behalf of the board, the Department of Environmental Quality's Northern Virginia Regional Office will receive written comments relating to the order through April 26, 2000. Please address comments to Elizabeth Anne Crosier, Northern Virginia Regional Office, Department of Environmental Quality, 13901 Crown Court, Woodbridge, Virginia 22193. Please write or visit the Woodbridge address,

or call (703) 583-3886, in order to examine or to obtain a copy of the order.

VIRGINIA CODE COMMISSION

Notice to State Agencies

Mailing Address: Virginia Code Commission, 910 Capitol Street, General Assembly Building, 2nd Floor, Richmond, VA 23219. You may FAX in your notice; however, we ask that you FAX two copies and do not follow up with a mailed copy. Our FAX number is: (804) 692-0625.

Forms for Filing Material for Publication in *The Virginia Register of Regulations*

All agencies are required to use the appropriate forms when furnishing material for publication in *The Virginia Register of Regulations*. The forms may be obtained from: Virginia Code Commission, 910 Capitol Street, General Assembly Building, 2nd Floor, Richmond, VA 23219, telephone (804) 786-3591.

Internet: Forms and other *Virginia Register* resources may be printed or downloaded from the *Virginia Register* web page:

<http://legis.state.va.us/codecomm/register/regindex.htm>

FORMS:

NOTICE of INTENDED REGULATORY ACTION - RR01
NOTICE of COMMENT PERIOD - RR02
PROPOSED (Transmittal Sheet) - RR03
FINAL (Transmittal Sheet) - RR04
EMERGENCY (Transmittal Sheet) - RR05
NOTICE of MEETING - RR06
AGENCY RESPONSE TO LEGISLATIVE OBJECTIONS - RR08

ERRATA

CEMETERY BOARD

Title of Regulation: **18 VAC 47-20-10 et seq. Cemetery Board Rules and Regulations.**

Publication: 16:13 VA.R. 1776-1782 March 13, 2000.

Correction to Final Regulation:

Page 1776, column 1, change effective date from "July 1, 2000," to "April 12, 2000"

CRIMINAL JUSTICE SERVICES BOARD

Title of Regulation: **6 VAC 20-171-10 et seq. Regulations Relating to Private Security Services.**

Publication: 16:8 VA.R. 945-975 January 3, 2000

Correction to Final Regulation:

Page 971, 6 VAC 20-171-420, line 5, change "6 VAC 20-171-90" to "6 VAC 20-171-390"

General Notices/Errata

STATE CORPORATION COMMISSION

Title of Regulation: **14 VAC 5-215-10 et seq. Rules Governing Independent External Review of Final Adverse Utilization Review Decisions.**

Publication: 16:11 VA.R. 1460-1470 February 14, 2000

Correction to Final Regulation:

Page 1460, Summary, line 4, after "Adverse" insert "Utilization"

Page 1461, 14 VAC 5-215-20 B, line 7, change "the P;" to "the Code of Virginia; (ii) the procedures for making such an appeal;"

Page 1461, 14 VAC 5-215-30, paragraph 1, line 2, change "the P" to "the"

STATE BOARD OF SOCIAL SERVICES

Title of Regulations: **22 VAC 40-330-10 et seq. Collection of Overpayments in the Aid to Families with Dependent Children (AFDC) and Refugee Other Assistance Programs.**

22 VAC 40-340-10 et seq. Protective Payments in the Aid to Families with Dependent Children (AFDC) and Refugee Other Assistance Programs.



Publication: 16:12 VA.R. 1669 February 28, 2000

Correction to Notice of Intended Regulatory Action:

Page 1669, column 2, the above regulations are incorrectly referenced in the notice to be repealed; however, the regulations are being considered for amendment. New, separate Notices of Intended Regulatory Action stating the board's intent to consider amending these regulations is published in this issue of the Virginia Register.


CALENDAR OF EVENTS

Symbol Key

-  Location accessible to persons with disabilities
 Teletype (TTY)/Voice Designation

NOTICE


Only those meetings which are filed with the Registrar of Regulations by the filing deadline noted at the beginning of this publication are listed. Since some meetings are called on short notice, please be aware that this listing of meetings may be incomplete. Also, all meetings are subject to cancellation and the *Virginia Register* deadline may preclude a notice of such cancellation.

For additional information on open meetings and public hearings held by the standing committees of the legislature during the interim, please call Legislative Information at (804) 698-1500 or Senate Information and Constituent Services at (804) 698-7410 or (804) 698-7419/TTY , or visit the General Assembly web site's Legislative Information System (<http://leg1.state.va.us/lis.htm>) and select "Meetings."


VIRGINIA CODE COMMISSION

EXECUTIVE


BOARD OF ACCOUNTANCY

April 19, 2000 - 10 a.m. -- Open Meeting
Department of Professional and Occupational Regulation,
3600 West Broad Street, Conference Room 5 W, Richmond,
Virginia. 

A meeting to conduct routine business. A public comment period will be held at the beginning of the meeting.

Contact: David E. Dick, Assistant Director, Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, VA 23230, telephone (804) 367-8505, FAX (804) 367-2475, (804) 367-9753/TTY , e-mail accountancy@dpor.state.va.us.


COMMONWEALTH COUNCIL ON AGING

† April 19, 2000 - 11 a.m. -- Open Meeting
Department for the Aging, 1600 Forest Avenue, Suite 102,
Richmond, Virginia.  (Interpreter for the deaf provided upon request)

A meeting of the Public Relations Committee and a task group to develop a statistical profile of older Virginians.

Contact: Bill Edwards, Education, Training and Research Coordinator, Department for the Aging, 1600 Forest Avenue, Suite 102, Richmond, VA 23229, telephone (804) 662-9314.

VIRGINIA AGRICULTURAL COUNCIL

March 27, 2000 - 9 a.m. -- Open Meeting
March 28, 2000 - 8:30 a.m. -- Open Meeting
Omni Charlottesville Hotel, 235 West Main Street,
Charlottesville, Virginia.  (Interpreter for the deaf provided upon request)


The council will hear and act upon agricultural project proposals for financial assistance through the Virginia Agricultural Council. The council will entertain public comment at the conclusion of all other business for a

period not to exceed 30 minutes. Any person who needs any accommodation in order to participate at the meeting should contact Thomas Yates at least five days before the meeting date so that suitable arrangements can be made.

Contact: Thomas R. Yates, Assistant Secretary, Virginia Agricultural Council, 1100 Bank Street, 5th Floor, Room 509, Richmond, VA 23219, telephone (804) 786-6060, FAX (804) 371-8372 or toll-free (800) 828-1120.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES


Virginia Dark-Fired Tobacco Board

† March 31, 2000 - 9:30 a.m. -- Open Meeting
Sheldon's Restaurant, Business Route 15 and 360, Keysville,
Virginia. 

A meeting to consider funding proposals for research, promotion, and education projects pertaining to Virginia dark-fired tobacco and other business that may come before the board. The board will entertain public comment at the conclusion of all other business for a period not to exceed 30 minutes. Any person who needs any accommodation in order to participate at the meeting should contact the person identified in this notice at least five days before the meeting date so that suitable arrangements can be made.

Contact: D. Stanley Duffer, Secretary, Virginia Dark-Fired Tobacco Board, P.O. Box 129, Halifax, VA 24558, telephone (804) 572-4568 or FAX (804) 572-8234.

Virginia Horse Industry Board

April 17, 2000 - 8:30 a.m. -- Open Meeting
Virginia Cooperative Extension, 168 Spotnap Road,
Charlottesville, Virginia. 

The board will review grant proposals submitted for the 2000-2001 fiscal year and review the minutes of the last board meeting. The board will entertain public comment


Calendar of Events

at the conclusion of all other business for a period not to exceed 30 minutes. Any person who needs any accommodation in order to participate at the meeting should contact the person identified in this notice at least five days before the meeting date so that suitable arrangements can be made.

Contact: Andrea S. Heid, Equine Marketing Specialist/Program Manager, Department of Agriculture and Consumer Services, Washington Building, 1100 Bank Street, Suite 1004, Richmond, VA 23219, telephone (804) 786-5842 or FAX (804) 371-7786.

Pesticide Control Board

† **April 13, 2000 - 9 a.m.** -- Open Meeting

Department of Agriculture and Consumer Services, Washington Building, 1100 Bank Street, Second Floor Board Room, Richmond, Virginia. 

A general business meeting. Portions of the meeting may be held in closed session, pursuant to § 2.1-344 of the Code of Virginia. The public will have an opportunity to comment on any matter not on the board's agenda beginning at 9 a.m. The board will entertain public comment at the conclusion of all other business for a period not to exceed 30 minutes. Any person who needs any accommodation in order to participate at the meeting should contact the person identified in this notice at least five days before the meeting date so that suitable arrangements can be made.

Contact: Dr. Marvin A. Lawson, Program Manager, Office of Pesticide Services, Department of Agriculture and Consumer Services, Washington Building, 1100 Bank Street, Room 401, P.O. Box 1163, Richmond, VA 23218, telephone (804) 371-6558, FAX (804) 371-8598 or toll-free 1-800-552-9963.

STATE AIR POLLUTION CONTROL BOARD

Extension of Public Comment Period

NOTE: CHANGE IN HEARING DATE

March 29, 2000 - 10 a.m. -- Public Hearing

Department of Environmental Quality, Main Street Centre, 600 East Main Street, Lower Level, Conference Room, Richmond, Virginia.

April 14, 2000 - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the State Air Pollution Control Board intends to promulgate regulations entitled: **9 VAC 5-510-10 et seq. Nonmetallic Mineral Processing General Permit.** The general permit establishes terms and conditions that form the legally enforceable basis for the implementation of all regulatory and statutory requirements applicable to new and existing emissions units in nonmetallic mineral mining facilities. Application for coverage under the general permit is voluntary; however, for any nonmetallic mineral processing facility

to be covered by the general permit, all equipment and emissions units at a stationary source that make up the nonmetallic mineral processing facility shall be covered by the general permit. The general permit requires the owners of existing and new emissions units in the nonmetallic mineral processing industry to construct, modify, relocate and operate within the terms and conditions of the general permit. The terms and conditions of the general permit cover emission standards, emission testing, emission monitoring, recordkeeping, reporting, compliance and enforcement.

Localities Affected: There is no locality which will bear any identified disproportionate material air quality impact due to the proposed regulation which would not be experienced by other localities.

Location of Proposal: The proposal and any other supporting documents may be examined by the public at the department's Office of Air Regulatory Development (Eighth Floor), 629 East Main Street, Richmond, Virginia, and the department's regional offices (listed below) between 8:30 a.m. and 4:30 p.m. of each business day until the close of the public comment period.

Southwest Regional Office
Department of Environmental Quality
355 Deadmore Street
Abingdon, Virginia
Ph: (540) 676-4800

West Central Regional Office
Department of Environmental Quality
3019 Peters Creek Road
Roanoke, Virginia
Ph: (540) 562-6700

Lynchburg Satellite Office
Department of Environmental Quality
7705 Timberlake Road
Lynchburg, Virginia
Ph: (804) 582-5120

Valley Regional Office
Department of Environmental Quality
4411 Early Road
Harrisonburg, Virginia 22801
Ph: (540) 574-7800

Fredericksburg Satellite Office
Department of Environmental Quality
806 Westwood Office Park
Fredericksburg, Virginia
Ph: (540) 899-4600

Northern Regional Office
Department of Environmental Quality
13901 Crown Court
Woodbridge, Virginia
Ph: (703) 583-3800

Piedmont Regional Office
Department of Environmental Quality
4949-A Cox Road
Glen Allen, Virginia
Ph: (804) 527-5020

Tidewater Regional Office
Department of Environmental Quality
5636 Southern Boulevard
Virginia Beach, Virginia
Ph: (757) 518-2000

Statutory Authority: § 10.1-1308 of the Code of Virginia.

Public comments may be submitted until 4:30 p.m., April 14, 2000, to the Director, Office of Air Regulatory Development, Department of Environmental Quality, P.O. Box 10009, Richmond, Virginia 23240.

It is preferred that all comments be provided in writing to the department along with any supporting documents or exhibits; however, oral comments will be accepted at the hearing. Comments may be submitted by mail, facsimile transmission, or by personal appearance at the hearing mentioned below; however, all written comments not provided at the hearing must be submitted to the Director, Office of Air Regulatory Development, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240. Facsimile copies will be accepted only if followed by receipt of the original within one week. All testimony, exhibits and documents received are a matter of public record.

Accessibility to Persons with Disabilities: The hearing is being held at a public facility believed to be accessible to persons with disabilities. Any person with questions on the accessibility of the facility or who needs interpreter services should contact Alma Jenkins at the Office of Air Regulatory Development, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, or by telephone at (804) 698-4070 or TTY (804) 698-4021.

Contact: Robert Mann, Director, Office of Air Regulatory Development, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4419, FAX (804) 698-4510, toll-free 1-800-592-5482, or (804) 698-4021/TTY ☎

March 30, 2000 - 11 a.m. -- Open Meeting
General Assembly Building, 9th and Broad Streets, House Room C, Richmond, Virginia.

A regular meeting.

Contact: Cindy Berndt, Regulatory Coordinator, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4378, FAX (804) 698-4346, e-mail cmberndt@deq.state.va.us.

ALCOHOLIC BEVERAGE CONTROL BOARD

March 27, 2000 - 9:30 a.m. -- Open Meeting
April 10, 2000 - 9:30 a.m. -- Open Meeting
April 24, 2000 - 9:30 a.m. -- Open Meeting
May 8, 2000 - 9:30 a.m. -- Open Meeting
May 22, 2000 - 9:30 a.m. -- Open Meeting
Department of Alcoholic Beverage Control, 2901 Hermitage Road, Richmond, Virginia. ♿

A meeting to receive reports from staff members, discuss activities, and discuss other matters not yet determined.

Contact: W. Curtis Coleburn, Secretary to the Board, Department of Alcoholic Beverage Control, 2901 Hermitage Road, P.O. Box 27491, Richmond, VA 23261, telephone (804) 213-4409 or FAX (804) 213-4442.

COMPREHENSIVE SERVICES FOR AT-RISK YOUTH AND THEIR FAMILIES

State Executive Council

March 29, 2000 - 9 a.m. -- Open Meeting

April 26, 2000 - 9 a.m. -- Open Meeting

† **May 31, 2000, 9:30 a.m.** -- Open Meeting

Department of Social Services, 730 East Broad Street, Training Room 3, Richmond, Virginia.

A monthly meeting to discuss interagency programmatic and fiscal policies, oversee the administration of funds appropriated under the Act, and advise the Governor.

Contact: Alan G. Saunders, Director, Office of Comprehensive Services, Department of Social Services, Wythe Building, 1604 Santa Rosa Road, Suite 137, Richmond, VA 23229, telephone (804) 662-9815, FAX (804) 662-9831, e-mail ags992@central.dss.state.va.us.

State Management Team

† **April 6, 2000 - 9:15 a.m.** -- Open Meeting

St. Joseph's Villa, 8000 Brook Road, Richmond, Virginia. ♿
(Interpreter for the deaf provided upon request)

A meeting to discuss recommendations for policies and procedures to the State Executive Council on the Comprehensive Services Act. There will be a public comment period from 9:45 to 10 a.m.

Contact: Elisabeth Hutton, Secretary, Department of Health, P.O. Box 2448, Richmond, VA 23218, telephone (804) 371-4099.

AUCTIONEERS BOARD

† **April 11, 2000 - 10 a.m.** -- Open Meeting

Department of Professional and Occupational Regulation, 3600 West Broad Street, 5th Floor, Richmond, Virginia. ♿
(Interpreter for the deaf provided upon request)

A meeting to conduct board business. Persons desiring to participate in the meeting and requiring special accommodations or interpreter services should contact the department at least 10 days prior to the meeting so that suitable arrangements can be made. The department fully complies with the Americans with Disabilities Act.

Contact: Mark N. Courtney, Assistant Director, Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, VA 23230, telephone (804) 367-8514, FAX (804) 367-2475, (804) 367-9753/TTY ☎, e-mail auctioneers@dpor.state.va.us.

Calendar of Events

CEMETERY BOARD

† **April 19, 2000 - 8 a.m.** -- Open Meeting
Department of Professional and Occupational Regulation,
3600 West Broad Street, Richmond, Virginia.

A general business meeting of the Recovery Fund Committee.

Contact: Karen W. O'Neal, Assistant Director, Cemetery Board, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8552, FAX (804) 367-2475.

CHESAPEAKE BAY LOCAL ASSISTANCE BOARD

April 10, 2000 - 10 a.m. -- Open Meeting
Chesapeake Bay Local Assistance Department, James Monroe Building, 101 North 14th Street, 17th Floor, Conference Room, Richmond, Virginia. (Interpreter for the deaf provided upon request)

A meeting to conduct general business, including review of local Chesapeake Bay Preservation Area programs. Public comment will be taken during the meeting. An agenda is available from the Chesapeake Bay Local Assistance Department.

Contact: Carolyn J. Elliott, Executive Secretary Senior, Chesapeake Bay Local Assistance Board, 101 North 14th Street, Richmond, VA 23219, telephone (804) 371-7505, FAX (804) 225-3447, toll-free (800) 243-7229, (804) 243-7229/TTY, e-mail celliott@cblad.state.va.us.

Grants Committee

March 28, 2000 - 1 p.m. -- Open Meeting
Chesapeake Bay Local Assistance Department, James Monroe Building, 101 North 14th Street, 17th Floor, Richmond, Virginia. (Interpreter for the deaf provided upon request)

A meeting to consider the FY01 Competitive Grants Program applications for funding. No comments from the public will be entertained at the meeting; however, written comments are welcome.

Contact: Margaret H. Reynolds, Grants Administrator, Chesapeake Bay Local Assistance Board, 101 North 14th Street, Richmond, VA 23219, telephone (804) 371-0608, FAX (804) 225-3447, toll-free (800) 243-7229, (804) 243-7229/TTY, e-mail mreynolds@cblad.state.va.us.

COMPENSATION BOARD

March 28, 2000 - 11 a.m. -- Open Meeting
† **April 25, 2000 - 11 a.m.** -- Open Meeting
Ninth Street Office Building, 202 North Ninth Street, 10th Floor, Richmond, Virginia. (Interpreter for the deaf provided upon request)

A monthly board meeting.

Contact: Cynthia P. Waddell, Administrative Staff Assistant, Compensation Board, P.O. Box 710, Richmond, VA 23218,

telephone (804) 786-0786, FAX (804) 371-0235, e-mail cwaddell@scb.state.va.us.

† **April 14, 2000 - 10 a.m.** -- Open Meeting
Salem City Council Chambers, 114 North Broad Street, Salem, Virginia. (Interpreter for the deaf provided upon request)

A FY01 budget hearing.

Contact: Cynthia P. Waddell, Administrative Staff Assistant, Compensation Board, P.O. Box 710, Richmond, VA 23218, telephone (804) 786-0786, FAX (804) 371-0235, e-mail cwaddell@scb.state.va.us.

DEPARTMENT OF CONSERVATION AND RECREATION

Falls of the James Scenic River Advisory Board

April 6, 2000 - Noon -- Open Meeting

May 4, 2000 - Noon -- Open Meeting
Richmond City Hall, Planning Commission, Conference Room, 5th Floor, Richmond, Virginia. (Interpreter for the deaf provided upon request)

A regular meeting. Requests for an interpreter for the deaf should be made two weeks prior to the meeting.

Contact: Leon E. App, Regulatory Coordinator, Department of Conservation and Recreation, 203 Governor Street, Suite 302, Richmond, VA 23219, telephone (804) 786-4570, FAX (804) 786-6141, e-mail leonapp@dcr.state.va.us.

Board on Conservation and Development of Public Beaches

† **March 29, 2000 - 10 a.m.** -- Open Meeting
Virginia Institute of Marine Science, Watermans Hall, Director's Conference Room, Gloucester Point, Virginia. (Interpreter for the deaf provided upon request)

A meeting to discuss proposals from localities requesting matching grant funds

Contact: Carlton Lee Hill, Staff Advisor, Department of Conservation and Recreation, 203 Governor Street, Suite 206, Richmond, VA 23219, telephone (804) 786-3998, FAX (804) 786-1798, e-mail leehill@dcr.state.va.us.

BOARD FOR CONTRACTORS

Tradesman Committee

† **April 11, 2000 - 10 a.m.** -- Open Meeting
Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia. (Interpreter for the deaf provided upon request)

A regular meeting of the Tradesman Committee to consider items of interest relating to tradesman/backflow workers/natural gas fitters and other appropriate matters


pertaining to the Tradesman Section of the Board for Contractors.

Contact: Robert F. Tortolani, Administrator, Board for Contractors, 3600 West Broad Street, Richmond, VA 23230, telephone (804) 367-6166 or FAX (804) 367-2474.


DESIGN-BUILD/CONSTRUCTION MANAGEMENT REVIEW BOARD

April 17, 2000 - 11 a.m. -- Open Meeting

May 15, 2000 - 11 a.m. -- Open Meeting


The Library of Virginia, 800 East Broad Street, Richmond, Virginia.  (Interpreter for the deaf provided upon request)


A monthly meeting to review requests submitted by localities to use design-build or construction management type contracts. Please contact the Division of Engineering and Buildings of the Department of General Services to confirm meeting.


Contact: Katherine R. Bowen, Administrative Assistant, Department of General Services, 805 East Broad Street, Room 101, Richmond, VA 23219, telephone (804) 786-3263, FAX (804) 371-7934, (804) 786-6152/TTY , e-mail kbown@dgs.state.va.us.


BOARD OF EDUCATION


April 3, 2000 - 7 p.m. -- Public Hearings

Lee-Davis High School, 7052 Mechanicsville Turnpike, Mechanicsville, Virginia.  (Interpreter for the deaf provided upon request)

Edison High School, 5801 Franconia Road, Alexandria, Virginia.  (Interpreter for the deaf provided upon request)

Princess Anne High School, 4400 Virginia Beach Boulevard, Virginia Beach, Virginia.  (Interpreter for the deaf provided upon request)

Martinsville High School, 351 Commonwealth Boulevard, Martinsville, Virginia.  (Interpreter for the deaf provided upon request)

Marion Senior High School, 848 Stage Street, Marion, Virginia.  (Interpreter for the deaf provided upon request)

At its meeting on January 6, 2000, the Virginia Board of Education approved for first review Standards of Learning for Visual Arts, Dance Arts, Theatre Arts, Music, and Foreign Language. These documents are available at www.pen.k12.va.us/VDOE/Instruction/tocontents.html. Written comments may be submitted by mail or e-mail. Persons requesting services of an interpreter for the deaf should do so in advance. Registration for speakers begins at 6:30 p.m. Speakers are limited to three minutes each. A written copy of comments is requested but not required.


Contact: Dr. Margaret N. Roberts, Office of Policy, Department of Education, Monroe Building, 101 North 14th Street, 25th Floor, P.O. Box 2120, Richmond, VA 23219,

telephone (804) 225-2540, FAX (804) 225-2524 or toll-free (800) 292-3829, e-mail mroberts@mail.vak12ed.edu.

April 26, 2000 - 9 a.m. -- Open Meeting

April 27, 2000 - 9 a.m. -- Open Meeting


April 28, 2000 - 9 a.m. -- Open Meeting

The Tides Lodge, 1 St. Andrews Lane, Irvington, Virginia.  (Interpreter for the deaf provided upon request)

An annual planning meeting and retreat. Persons requesting services of interpreter for the deaf are requested to do so in advance.

Contact: Dr. Margaret N. Roberts, Office of Policy, Department of Education, Monroe Building, 101 North 14th Street, 25th Floor, P.O. Box 2120, Richmond, VA 23219, telephone (804) 225-2540, FAX (804) 225-2524 or toll-free (800) 292-3829, e-mail mroberts@mail.vak12ed.edu.


May 25, 2000 - 9 a.m. -- Open Meeting

Cultural Arts Center, 2880 Mountain Road, Glen Allen, Virginia.  (Interpreter for the deaf provided upon request)

A summit for the fine arts. Persons requesting services of interpreter for the deaf are requested to do so in advance.

Contact: Dr. Margaret N. Roberts, Office of Policy, Department of Education, Monroe Building, 101 North 14th Street, 25th Floor, P.O. Box 2120, Richmond, VA 23219, telephone (804) 225-2540, FAX (804) 225-2524 or toll-free (800) 292-3829, e-mail mroberts@mail.vak12ed.edu.

† May 26, 2000 - 9 a.m. -- Open Meeting

Cultural Arts Center, 2880 Mountain Road, Glen Allen, Virginia.  (Interpreter for the deaf provided upon request)

A regular business meeting. Persons requesting services of interpreter for the deaf are requested to do so in advance.

The Board of Education seeks public comment on the proposed Standards of Learning for computer/technology to be completed by grade 12. The purpose of the standards is to ensure mastery of skills that will result in students who are both computer literate and competent in application of skills. Proposal may be viewed at www.pen.k12.va.us. Written comments will be received until May 12, 2000.

Contact: Dr. Margaret N. Roberts, Office of Policy, Department of Education, Monroe Building, 101 North 14th Street, 25th Floor, P.O. Box 2120, Richmond, VA 23219, telephone (804) 225-2540, FAX (804) 225-2524 or toll-free (800) 292-3829, e-mail mroberts@mail.vak12ed.edu.

DEPARTMENT OF ENVIRONMENTAL QUALITY

March 28, 2000 - 7 p.m. -- Open Meeting

Pence Middle School Auditorium, Bowman Road, Dayton, Virginia.

The third public meeting on the development of the North River tributaries fecal coliform bacteria TMDL: Dry River,

Calendar of Events

Mill Creek, and Pleasant Run. The tributaries are located in Rockingham County.

Contact: Rod Bodkin, Department of Environmental Quality, 4411 Early Road, Harrisonburg, VA 22801, telephone (540) 574-7801, FAX (540) 574-7878, e-mail rvbodkin@deq.state.va.us.

March 30, 2000 - 7 p.m. -- Open Meeting
Patrick Henry High School Auditorium, 31437 Hillman Highway, Glade Spring, Virginia.

The third public meeting on the development of the fecal coliform bacteria TMDL for four impaired segments located in Washington County: Byers Creek, Cedar Creek, Hall Creek and Hutton Creek.


Contact: Nancy Norton, Department of Environmental Quality, P.O. Box 1688 Abingdon, VA 24212, telephone (540) 676-4807, FAX (540) 676-4899, e-mail ntnorton@deq.state.va.us.

† April 12, 2000 - 7 p.m. -- Open Meeting
Old School House, State Route 42 (Senedo Road) and State Route 767 (Quicksburg Road), Forestville, Virginia.


A public meeting on the development of a total maximum daily load for fecal coliform bacteria for Holmans Creek located in Shenandoah County.

Contact: Rod Bodkin, Department of Environmental Quality, 4411 Early Road, Harrisonburg, VA 22801, telephone (540) 574-7801, FAX (540) 574-7878, e-mail rvbodkin@deq.state.va.us.

Technical Advisory Committee


† April 14, 2000 - 10 a.m. -- Open Meeting
Department of Environmental Quality, Piedmont Regional Office, 4949-A Cox Road, Training Room, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

A meeting to discuss possible amendments to the Regulations for the Development of Solid Waste Management Plans and Recycling Rates (9 VAC 20-130-10 et seq.).

Contact: Robert G. Wickline, Waste Operations Division, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240-0009, telephone (804) 698-4213, toll-free 1-800-592-5482 or (804) 698-4021/TTY 

BOARD OF FUNERAL DIRECTORS AND EMBALMERS


Special Conference Committee


† March 29, 2000 - 9 a.m. -- Open Meeting
Department of Health Professions, 6606 West Broad Street, 5th Floor, Conference Room 3, Richmond, Virginia. 

A meeting to hold informal hearings. There will not be a public comment period.

Contact: Cheri Emma-Leigh, Administrative Staff Assistant, Board of Funeral Directors and Embalmers, 6606 West Broad Street, 4th Floor, Richmond, VA 23230, telephone (804) 662-9907, FAX (804) 662-9523, e-mail CEmma-Leigh@dhp.state.va.us.

DEPARTMENT OF GAME AND INLAND FISHERIES


March 27, 2000 - 7 p.m. -- Public Hearing
Salem Church Library, 2607 Salem Church Road, Fredericksburg, Virginia.  (Interpreter for the deaf provided upon request)

March 28, 2000 - 7 p.m. -- Public Hearing
Forest Branch Library, 15583 Forest Road, Lynchburg, Virginia.  (Interpreter for the deaf provided upon request)


The Department of Game and Inland Fisheries (DGIF) is hosting five public meetings in March 2000 to discuss Virginia's wildlife diversity (i.e., wildlife other than in the context of hunting, trapping, or fishing) regulations and agency programs with interested parties. Interested individuals are invited to join the DGIF staff to discuss these subjects. Public comments and suggestions received will be considered by staff as they refine current programs, develop new ones, and develop staff recommendations for amendments to wildlife diversity regulations. Agency staff will present such recommendations to the Board of Game and Inland Fisheries at its August 2000 meeting as part of the regular biennial review of wildlife diversity regulations.

Contact: Phil Smith, Policy Analyst, Department of Game and Inland Fisheries, 4010 West Broad Street, Richmond, VA 23230, telephone (804) 367-1000 or FAX (804) 367-0488.


BOARD FOR GEOLOGY

† April 20, 2000 - 9 a.m. -- Open Meeting
Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia. 

A general business meeting. Persons desiring to participate in the meeting and requiring special accommodations or interpreter services should contact the department at least two weeks in advance of the meeting. The department fully complies with the Americans with Disabilities Act.

Contact: William H. Ferguson, II, Board Administrator, Department of Professional and Occupational Regulation, 3600 W. Broad Street, Richmond, VA 23230, telephone (804) 367-2406, FAX (804) 367-2475 or (804) 367-9753/TTY 

DEPARTMENT OF HEALTH PROFESSIONS

April 8, 2000 - 9 a.m. -- Open Meeting
Department of Health Professions, 6606 West Broad Street, 5th Floor, Conference Room 4, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

The Health Practitioners' Intervention Program Committee will meet with its contractor and representatives to review reports, policies and procedures for the Health Practitioner's Intervention Program. The committee will meet in open session for general discussion of the program. The committee may meet in executive sessions for the purpose of consideration of specific requests from applicants to or participants in the program.

Contact: John W. Hasty, Director, Department of Health Professions, 6606 West Broad Street, 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9424, FAX (804) 662-9114 or (804) 662-7197/TTY ☎

BOARD FOR HEARING AID SPECIALISTS

April 4, 2000 - 8:30 a.m. -- Open Meeting
Department of Professional and Occupational Regulation,
3600 West Broad Street, 4th Floor, Richmond, Virginia. (Interpreter for the deaf provided upon request)

An open meeting to discuss regulatory review, disciplinary cases and other matters requiring board action. A public comment period will be held at the beginning of the meeting. All meetings are subject to cancellation. The time of the meeting is subject to change. Any persons desiring to attend the meeting and requiring special accommodations or interpretative services should contact the department at least 10 days prior to the meeting so that suitable arrangements can be made. The department fully complies with the Americans with Disabilities Act.

Contact: Nancy Taylor Feldman, Assistant Director, Department of Professional and Occupational Regulation, 3600 West Broad Street, 4th Floor, Richmond, VA 23230-4917, telephone (804) 367-8590, FAX (804) 367-2474, (804) 367-9753/TTY ☎, e-mail hearingaidspec@dpor.state.va.us.

STATE COUNCIL OF HIGHER EDUCATION FOR VIRGINIA

April 11, 2000 - 9 a.m. -- Open Meeting
State Council of Higher Education, James Monroe Building,
101 North 14th Street, Richmond, Virginia. (Interpreter for the deaf provided upon request)

A teleconferenced meeting. Locations available include McGuire, Woods, Battle and Boothe, World Trade Center, Suite 9000, Norfolk, Virginia, and 420 Park Street, Charlottesville, Virginia. Time may vary.

Contact: Kathy R. Robinson, Executive Secretary Senior, State Council of Higher Education for Virginia, James Monroe Building, 101 North 14th Street, Richmond, VA 23219, telephone (804) 225-2628, FAX (804) 225-2638, e-mail robinson@schv.edu.

April 18, 2000 - 9 a.m. -- Open Meeting
The College of William and Mary, Williamsburg, Virginia. (Interpreter for the deaf provided upon request)

A monthly meeting.

Contact: Kathy R. Robinson, Executive Secretary Senior, State Council of Higher Education for Virginia, James Monroe Building, 101 North 14th Street, Richmond, VA 23219, telephone (804) 225-2628, FAX (804) 225-2638, e-mail robinson@schv.edu.

HOPEWELL INDUSTRIAL SAFETY COUNCIL

† **April 4, 2000 - 9 a.m.** -- Open Meeting
† **May 2, 2000 - 9 a.m.** -- Open Meeting
† **June 6, 2000 - 9 a.m.** -- Open Meeting
Hopewell Community Center, 100 West City Point Road, Hopewell, Virginia. (Interpreter for the deaf provided upon request)

Local Emergency Preparedness Committee meeting as required by SARA Title III.

Contact: Robert Brown, Emergency Services Coordinator, 300 North Main Street, Hopewell, VA 23860, telephone (804) 541-2298.

BOARD OF HOUSING AND COMMUNITY DEVELOPMENT

April 14, 2000 - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Board of Housing and Community Development intends to amend regulations entitled: **13 VAC 5-21-10 et seq. Virginia Certification Standards.** The proposed amendments (i) clarify the requirements for combination inspectors to obtain a certificate of competence; (ii) permit the issuance of provisional certificates under certain conditions; (iii) permit the board to appoint an advisory peer review committee to advise the board concerning proposed sanctions against a certificate holder; (iv) allow the board to impose sanctions on certificate holders under certain conditions; and (v) allow administrative appeals to the Technical Review Board to resolve disputes.

Statutory Authority: §§ 36-98.3 and 36-137 of the Code of Virginia.

Contact: George W. Rickman, Jr., Regulatory Coordinator, Department of Housing and Community Development, The Jackson Center, 501 North Second Street, Richmond, VA 23219-1321, telephone (804) 371-7180, FAX (804) 371-9092 or (804) 371-7089/TTY ☎

April 14, 2000 - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Board of Housing and Community Development intends to amend regulations entitled: **13 VAC 5-51-10 et seq. Virginia Statewide**

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Fire Prevention Code. The proposed amendments (i) require the fire code official to enforce the provision of the building code regarding maintenance of smoke detectors in certain dwellings; (ii) require the fire code official to enforce the provision of the Virginia Uniform Statewide Building Code (13 VAC 5-61-10 et seq.) regarding installation of fire extinguishers and smoke detectors in state regulated facilities (Use Groups R-2, R-3 and R-4 only); (iii) amend the provision concerning the appointment of local assistant fire marshals to conform with state law; (iv) address a potential safety problem with an already installed fire sprinkler device that may not function properly during a fire situation; (v) add a requirement for fire exit drills to be conducted at state regulated care facilities at least 12 times per year with not less than six of the drills being unannounced; (vi) delete all references regarding regulation of transportation of explosive materials and add a reference to Regulations Governing the Transportation of Hazardous Materials (9 VAC 20-110-10 et seq.); (vii) amend the definition of fireworks to conform with the Code of Virginia; and (viii) allow the storage of motor fuels in aboveground tanks at public service stations when the installation meets the National Fire Protection Association standard.

Statutory Authority: §§ 27-97 of the Code of Virginia.

Contact: George W. Rickman, Jr., Regulatory Coordinator, Department of Housing and Community Development, The Jackson Center, 501 North Second Street, Richmond, VA 23219-1321, telephone (804) 371-7180, FAX (804) 371-9092 or (804) 371-7089/TTY ☎

April 14, 2000 - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Board of Housing and Community Development intends to amend regulations entitled: **13 VAC 5-61-10 et seq. Virginia Uniform Statewide Building Code.** The proposed amendments (i) require that persons under contract to a local building department for enforcement of the USBC be certified and attend periodic training courses as designated by the Department of Housing and Community Development and such other training as designated by the local governing body in the same manner as required for employees; (ii) allow for exceptions to filing duplicate construction documents when the already submitted construction documents and site plans were approved for identical structures in the same development and for dwellings with reverse floor plans; (iii) clarify that the code official's approval of construction documents is limited to only those items that are within the scope of the USBC; (iv) require that certain measures be taken in the construction of one- and two-family homes in counties or cities with an average residential radon level greater than 4 pCi/L; (v) require that building officials ensure that exterior insulation and finish systems are installed correctly; (vi) clarify that building code officials are allowed to accept third party reviews of construction

documents; (vii) require that for new construction, fire walls, fire separation assemblies, fire partitions, and smoke barriers are to be marked with language warning against the creation of holes, and that the warnings must be no more than eight feet apart, above ceilings and at all ceiling access doors; (viii) provide an exemption for the requirement of fire sprinkler systems in certain types of closets; (ix) provide an exemption from the requirement that a toilet be provided when the structure or tenant space has an occupant load less than 150 and food and beverages are neither served nor consumed on the premises; (x) provide an exemption from a requirement that separate-sex toilet facilities be provided when the mercantile space is less than 5,000 square feet; and (xi) require that, in new construction of buildings four stories or more, at least one elevator be provided for emergency access to all floors, be sized to accommodate an ambulance stretcher, and be identified by the emergency medical services international symbol (star of life).

Statutory Authority: § 36-98 of the Code of Virginia.

Contact: George W. Rickman, Jr., Regulatory Coordinator, Department of Housing and Community Development, The Jackson Center, 501 North Second Street, Richmond, VA 23219-1321, telephone (804) 371-7180, FAX (804) 371-9092 or (804) 371-7089/TTY ☎

STATEWIDE INDEPENDENT LIVING COUNCIL

April 5, 2000 - 1 p.m. -- Open Meeting
Independence Empowerment Center, 9001 Bigges Road, Suite 103, Manassas, Virginia. ♿ (Interpreter for the deaf provided upon request)

A quarterly meeting. Committee meetings will also be held.

Contact: James A. Rothrock, Statewide Independent Living Council Staff, 1802 Marroit Road, Richmond, VA 23229, telephone (804) 673-0119 or FAX (804) 282-7118.

DEPARTMENT OF LABOR AND INDUSTRY


Migrant and Seasonal Farmworkers Board

† **April 19, 2000 - 10 a.m.** -- Open Meeting
State Capitol, House Room 1, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A regular quarterly meeting of the board.

Contact: Patti C. Bell, Public Relations Coordinator, Department of Labor and Industry, 13 South Thirteenth Street, Richmond, VA 23219-4160, telephone (804) 225-3083, FAX (804) 786-8418, (804) 786-2376/TTY ☎, e-mail pcb@doli.state.va.us.


LONGWOOD COLLEGE

April 13, 2000 - 2 p.m. -- Open Meeting
Longwood College, Lancaster 215, Farmville, Virginia. 

A meeting of the Executive Committee of the Board of Visitors to conduct routine business.

Contact: Jeanne Hayden, Administrative Staff Assistant, Longwood College, Office of the President, Longwood College, 201 High Street, Farmville, VA 23909, telephone (804) 395-2004, FAX (804) 395-2821, toll-free (800) 281-4677, e-mail jhayden@longwood.lwc.edu.

MARINE RESOURCES COMMISSION

March 28, 2000 - 9:30 a.m. -- Open Meeting
† **April 25, 2000 - 9:30 a.m.** -- Open Meeting
† **May 23, 2000 - 9:30 a.m.** -- Open Meeting
† **June 27, 2000 - 9:30 a.m.** -- Open Meeting
Marine Resources Commission, 2600 Washington Avenue, Room 403, Newport News, Virginia.  (Interpreter for the deaf provided upon request)

The commission will hear and decide the following marine environmental matters beginning at 9:30 a.m.: permit applications for projects in wetlands, bottom lands, coastal primary sand dunes and beaches; appeals of local wetland board decisions; and policy and regulatory issues. The commission will hear and decide the following fishery management items beginning at approximately noon: regulatory proposals, fishery management plans, fishery conservation issues, licensing, and shellfish leasing. Meetings are open to the public. Testimony will be taken under oath from parties addressing agenda items on permits and licensing. Public comments will be taken on resource matters, regulatory issues and items scheduled for public hearing.

Contact: LaVerne Lewis, Secretary to the Commission, Marine Resources Commission, P.O. Box 756, Newport News, VA 23607-0756, telephone (757) 247-2261, toll-free 1-800-541-4646 or (757) 247-2292/TTY 

DEPARTMENT OF MEDICAL ASSISTANCE SERVICES

April 14, 2000 - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 9-6.14:7.1 of the Code of Virginia that the Department of Medical Assistance Services intends to amend regulations entitled: **12 VAC 30-80-10 et seq. Methods and Standards for Establishing Payment Rates; Other Types of Care.** The purpose of the proposed amendment is to repeal certain obstetric and pediatric procedures from the State Plan.


Statutory Authority: § 32.1-325 of the Code of Virginia.

Public comments may be submitted until April 14, 2000, to Bobby Powell, Program Operations, Department of Medical

Assistance Services, 600 East Broad Street, Suite 1300, Richmond, VA 23219.

Contact: Victoria P. Simmons, Regulatory Coordinator, Department of Medical Assistance Services, 600 East Broad Street, Suite 1300, Richmond, VA 23219, telephone (804) 786-7959 or FAX (804) 786-1680.


Drug Utilization Review Board

May 11, 2000 - 2 p.m. -- Open Meeting
Department of Medical Assistance Services, 600 East Broad Street, Suite 1300, Board Room, Richmond, Virginia. 

A routine business meeting.

Contact: Marianne Rollings, DUR Coordinator, Department of Medical Assistance Services, 600 East Broad Street, Suite 1300, Richmond, VA 23219, telephone (804) 225-4268, FAX (804) 786-1680, (800) 343-0634/TTY , e-mail mrollings@dmass.state.va.us.

Medicaid Pharmacy Liaison Committee

April 3, 2000 - 1 p.m. -- Open Meeting
Department of Medical Assistance Services, 600 East Broad Street, Suite 1300, Board Room, Richmond, Virginia. 


A routine meeting.

Contact: Marianne Rollings, Coordinator, Department of Medical Assistance Services, 600 East Broad Street, Suite 1300, Richmond, VA 23219, telephone (804) 225-4268, FAX (804) 786-1680, (800) 343-0634/TTY , e-mail mrollings@dmass.state.va.us.


BOARD OF MEDICINE

† **April 20, 2000 - 9 a.m.** -- Open Meeting
Central Park Hotel, 2801 Plank Road, Fredericksburg, Virginia.

A panel of the board will convene pursuant to §§ 54.1-2400 and 9-6.14:12 of the Code of Virginia to inquire into allegations that a practitioner may have violated laws governing the practice of medicine. The panel will meet in open and closed sessions pursuant to § 2.1-344 of the Code of Virginia. Public comment will not be received.

Contact: Peggy Sadler or Renee Dixson, Staff, Board of Medicine, 6606 West Broad Street Richmond, VA 23230, telephone (804) 662-7332, FAX (804) 662-9517, (804) 662-7197/TTY , e-mail PSadler@dhp.state.va.us.

Advisory Committee on Acupuncture

May 10, 2000 - 9 a.m. -- Open Meeting
Department of Health Professions, 6606 West Broad Street, 5th Floor, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

A meeting to discuss regulatory review of 18 VAC 85-110-10 et seq., Regulations Governing the Practice of

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Licensed Acupuncturists, and such other issues which may be presented. The advisory committee will entertain public comments during the first 15 minutes on agenda items.

Contact: William L. Harp, M.D., Executive Director, Board of Medicine, 6606 West Broad Street, 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9960, FAX (804) 662-9517 or (804) 662-7197/TTY ☎

Executive Committee

April 7, 2000 - 8 a.m. -- Open Meeting

Department of Health Professions, 6606 West Broad Street, 5th Floor, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A meeting will be held in open and closed session to review disciplinary files requiring administrative action, adopt amendments and approve for promulgation regulations as presented, interview applicants, and act on other issues that come before the board. The chairman will entertain public comments on agenda items for 15 minutes following adoption of the agenda.

Contact: William L. Harp, M.D., Executive Director, Board of Medicine, 6606 West Broad Street, 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9960, FAX (804) 662-9517, (804) 662-7197/TTY ☎

Informal Conference Committee

March 29, 2000 - 9 a.m. -- Open Meeting

Department of Health Professions, 6606 West Broad Street, Richmond, Virginia.

March 31, 2000 - 9 a.m. -- Open Meeting

50 Kingsmill Road, Williamsburg, Virginia.

† **April 6, 2000 - 9 a.m.** -- Open Meeting

Central Park Hotel, 2801 Plank Road, Fredericksburg, Virginia.

† **April 27, 2000 - 9:30 a.m.** -- Open Meeting

Wyndham Roanoke Hotel, Hershberger Road, Roanoke, Virginia.

A meeting to inquire into allegations that certain practitioners may have violated laws and regulations governing the practice of medicine and other healing arts in Virginia. The committee will meet in open and closed sessions pursuant to § 2.1-344 of the Code of Virginia. Public comment will not be received.

Contact: Peggy Sadler or Renee Dixon, Board of Medicine, 6606 West Broad Street, 4th Floor, Richmond, VA 23230, telephone (804) 662-7332, FAX (804) 662-9517, (804) 662-7197/TTY ☎

Legislative Committee

May 26, 2000 - 1 p.m. -- Open Meeting

Department of Health Professions, 6606 West Broad Street, 5th Floor, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A meeting to discuss legislative issues related to board activities and regulations, to review any pending regulations pursuant to regulatory review or legislative action, and to consider any other information that may come before the committee. The committee will entertain public comments during the first 15 minutes on agenda items.

Contact: William L. Harp, M.D., Executive Director, Board of Medicine, Department of Health Professions, 6606 West Broad Street, 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9960, FAX (804) 662-9517 or (804) 662-7197/TTY ☎

Advisory Board on Occupational Therapy

May 11, 2000 - 9 a.m. -- Open Meeting

Department of Health Professions, 6606 West Broad Street, 5th Floor, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A meeting to review public comments and make recommendations to the Board of Medicine regarding the regulatory review of 18 VAC 85-80-10 et seq., Regulations for Licensure of Occupational Therapists, and such other issues which may be presented. The advisory board will entertain public comments during the first 15 minutes on agenda items.

Contact: William L. Harp, M.D., Executive Director, Board of Medicine, 6606 West Broad Street, 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9960, FAX (804) 662-9517 or (804) 662-7197/TTY ☎

Advisory Board on Physical Therapy

May 12, 2000 - 9 a.m. -- Open Meeting

Department of Health Professions, 6606 West Broad Street, 5th Floor, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A meeting to review public comments and make recommendations to the Board of Medicine regarding the regulatory review of 18 VAC 85-31-10 et seq., Regulations Governing the Practice of Physical Therapy, and such other issues which may be presented. The advisory board will entertain public comments during the first 15 minutes on agenda items.


Contact: William L. Harp, M.D., Executive Director, Board of Medicine, 6606 West Broad Street, 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9960, FAX (804) 662-9517 or (804) 662-7197/TTY ☎

Advisory Committee on Physician Assistants

May 12, 2000 - 1 p.m. -- Open Meeting

Department of Health Professions, 6606 West Broad Street, 5th Floor, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

A meeting to review public comments and make recommendations to the Board of Medicine regarding the regulatory review of 18 VAC 85-50-10 et seq., Regulations Governing the Practice of Physician Assistants, and such other issues which may be presented. The advisory committee will entertain public comments during the first 15 minutes on agenda items.


Contact: William L. Harp, M.D., Executive Director, Board of Medicine, 6606 West Broad Street, 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9960, FAX (804) 662-9517 or (804) 662-7197/TTY 

Advisory Committee on Radiological Technology

May 10, 2000 - 1 p.m. -- Open Meeting


Department of Health Professions, 6606 West Broad Street, 5th Floor, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

A meeting to review public comments and make recommendations to the board regarding 18 VAC 85-101-10 et seq., Regulations Governing the Licensure of Radiologic Technologists and Radiologic Technologists-Limited, and such other issues which may be presented. The advisory committee will entertain public comments during the first 15 minutes on agenda items.


Contact: William L. Harp, M.D., Executive Director, Board of Medicine, 6606 West Broad Street, 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9960, FAX (804) 662-9517 or (804) 662-7197/TTY 

Advisory Board on Respiratory Care

May 11, 2000 - 1 p.m. -- Open Meeting


Department of Health Professions, 6606 West Broad Street, 5th Floor, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

A meeting to review public comments and make recommendations to the Board of Medicine regarding the regulatory review of 18 VAC 85-40-10 et seq., Regulations Governing the Practice of Respiratory Care Practitioners, and such other issues which may be presented. The advisory board will entertain public comments during the first 15 minutes on agenda items.

Contact: William L. Harp, M.D., Executive Director, Board of Medicine, 6606 West Broad Street, 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9960, FAX (804) 662-9517 or (804) 662-7197/TTY 

VIRGINIA MILITARY INSTITUTE

May 13, 2000 - 8:30 a.m. -- Open Meeting

Virginia Military Institute, Turman Room, Preston Library, Lexington, Virginia. 


A regular meeting of the Board of Visitors to receive committee reports; approve awards, distinctions and diplomas; discuss personnel changes; and elect a president pro tem. The Board of Visitors will not provide an opportunity for public comment at this meeting.

Contact: Colonel Edwin L. Dooley, Jr., Secretary to the Board of Visitors, Virginia Military Institute, Superintendent's Office, Lexington, VA 24450, telephone (540) 464-7206 or FAX (540) 464-7660.

DEPARTMENT OF MOTOR VEHICLES

Medical Advisory Board

† April 12, 2000 - 1 p.m. -- Open Meeting

Department of Motor Vehicles, 2300 West Broad Street, Richmond, Virginia. 


A regular business meeting.

Contact: Millicent Ford, Manager, Department of Motor Vehicles, 2300 West Broad Street, Richmond, VA 23220, telephone (804) 367-0132.

VIRGINIA MUSEUM OF FINE ARTS

Executive Committee

† April 4, 2000 - 8 a.m. -- Open Meeting

Virginia Museum of Fine Arts, 2800 Grove Avenue, Main Lobby Conference Room, Richmond, Virginia. 

A monthly briefing of the Executive Committee by the staff. Public comment will not be received.


Contact: Emily C. Robertson, Secretary of the Museum, Virginia Museum of Fine Arts, 2800 Grove Avenue, Richmond, VA 23221, telephone (804) 340-1503, FAX (804) 340-1502, e-mail erobertson@vmfa.state.va.us.

BOARD OF NURSING

May 15, 2000 - 8:30 a.m. -- Open Meeting

May 17, 2000 - 8:30 a.m. -- Open Meeting

May 18, 2000 - 8:30 a.m. -- Open Meeting

Department of Health Professions, 6606 West Broad Street, 5th Floor, Conference Room 2, Richmond, Virginia. 

A panel of the board will conduct formal hearings with licensees and certificate holders. Public comment will not be received.

Contact: Nancy K. Durrett, R.N., Executive Director, Board of Nursing, 6606 West Broad Street, 4th Floor, Richmond, VA

Calendar of Events

23230, telephone (804) 662-9909, FAX (804) 662-9512, (804) 662-7197/TTY ☎, e-mail nursebd@dhp.state.va.us.

Special Conference Committee

† **March 29, 2000 - 8:30 a.m.** -- Open Meeting

April 4, 2000 - 8:30 a.m. -- Open Meeting

April 6, 2000 - 8:30 a.m. -- Open Meeting

April 11, 2000 - 8:30 a.m. -- Open Meeting

April 13, 2000 - 8:30 a.m. -- Open Meeting

April 17, 2000 - 8:30 a.m. -- Open Meeting

April 26, 2000 - 8:30 a.m. -- Open Meeting

Department of Health Professions, 6606 West Broad Street, 5th Floor, Conference Room 3, Richmond, Virginia. ♿

A meeting to conduct informal conferences with licensees and certificate holders. Public comment will not be received.

Contact: Nancy K. Durrett, R.N., Executive Director, Board of Nursing, 6606 West Broad Street, 4th Floor, Richmond, VA 23230, telephone (804) 662-9909, FAX (804) 662-9512, (804) 662-7197/TTY ☎, e-mail nursebd@dhp.state.va.us.

Committee of the Joint Boards of Nursing and Medicine

† **March 29, 2000 - 8:30 a.m.** -- Open Meeting

Department of Health Professions, 6606 West Broad Street, 5th Floor, Conference Room 2, Richmond, Virginia. ♿

A Special Conference Committee will conduct informal conferences with licensees. Public comment will not be received.

Contact: Nancy K. Durrett, R.N., Executive Director, Board of Nursing, 6606 West Broad Street, 4th Floor, Richmond, VA 23230, telephone (804) 662-9909, FAX (804) 662-9512, (804) 662-7197/TTY ☎, e-mail nursebd@dhp.state.va.us.

BOARD OF OPTOMETRY

† **May 3, 2000 - 9 a.m.** -- Open Meeting

Department of Health Professions, 5th Floor, 6606 West Broad Street, Conference Room 3, Richmond, Virginia. ♿

The board will continue discussions on the development of regulations governing the practice of optometry in mercantile establishments pursuant to Executive Order 25(98). The board will also review the CPT codes related to optometry and consider any other business as may come before it. Public comment will be received at the beginning of the meeting.

Contact: Elizabeth A. Carter, Ph.D., Executive Director, Board of Optometry, Southern States Building, 6606 West Broad Street, 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9910, FAX (804) 662-9504, (804) 662-7197/TTY ☎, e-mail ecarter@dhp.state.va.us.

Informal Conference Committee

April 14, 2000 - 9 a.m. -- Open Meeting

Department of Health Professions, 6606 West Broad Street, 5th Floor, Conference Room 1, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

Informal hearings. This is a public meeting; however, public comment will not be received.

Contact: Carol Stamey, Administrative Assistant, Board of Optometry, 6606 West Broad Street, 4th Floor, Richmond, VA 23230, telephone (804) 662-9910, FAX (804) 662-7098, (804) 662-7197/TTY ☎, e-mail cstamey@dhp.state.va.us.

VIRGINIA OUTDOORS FOUNDATION

March 29, 2000 - 10 a.m. -- Open Meeting

State Capitol, Capitol Square, House Room 2, Richmond, Virginia.

A regularly scheduled meeting of the Board of Trustees to discuss foundation business and accept conservation easements. Public comment will be accepted after the regular business meeting.

Contact: Tamara Vance, Executive Director, Virginia Outdoors Foundation, 203 Governor Street, Room 317, Richmond, VA 23219, telephone (804) 225-2147 or FAX (804) 371-4810.

VIRGINIA BOARD FOR PEOPLE WITH DISABILITIES

† **May 31, 2000 - 9 a.m.** -- Open Meeting

Library of Virginia, 800 East Broad Street, Lobby Level, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A meeting of the Executive Committee.

Contact: Tom Ariail, Jr., Assistant Director of Board Operations, Virginia Board for People with Disabilities, Ninth Street Office Building, 202 North 9th Street, 9th Floor, Richmond, VA 23219, telephone (804) 786-0016, FAX (804) 786-1118, toll-free 1-800-846-4464 or (804) 786-0016/TTY ☎


† **June 1, 2000 - 9 a.m.** -- Open Meeting

Library of Virginia, 800 East Broad Street, Lobby Level, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)


A quarterly meeting.


Contact: Tom Ariail, Jr., Assistant Director of Board Operations, Virginia Board for People with Disabilities, Ninth Street Office Building, 202 North 9th Street, 9th Floor, Richmond, VA 23219, telephone (804) 786-0016, FAX (804) 786-1118, toll-free 1-800-846-4464 or (804) 786-0016/TTY ☎

BOARD OF PHARMACY


† **April 5, 2000 - 9 a.m.** -- Open Meeting
Department of Health Professions, 6606 West Broad Street,
5th Floor, Conference Room 2, Richmond, Virginia. 


A panel of the board will hold a formal hearing. Public comments will not be received.

Contact: Elizabeth Scott Russell, Executive Director, Board of Pharmacy, Southern States Building, 6606 West Broad Street, 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9911, FAX (804) 662-9313, (804) 662-7197/TTY , e-mail erussell@dhp.state.va.us.


† **April 11, 2000 - 8:30 a.m.** -- Open Meeting
Hampton Inn Col Alto, 401 East Nelson Street, Lexington, Virginia 

The board will conduct a strategic planning workshop to discuss issues related to the practice of pharmacy.


Contact: Elizabeth Scott Russell, Executive Director, Board of Pharmacy, Southern States Building, 6606 West Broad Street, 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9911, FAX (804) 662-9313, (804) 662-7197/TTY , e-mail erussell@dhp.state.va.us.

† **April 12, 2000 - 8:30 a.m.** -- Open Meeting
Hampton Inn Col Alto, 401 East Nelson Street, Lexington, Virginia 


A regular meeting to adopt the proposed regulations for collaborative practice (identical to emergency regulations) and consider other such business as may come before the board. Public comment will be received at the beginning of the meeting.

Contact: Elizabeth Scott Russell, Executive Director, Board of Pharmacy, Southern States Building, 6606 West Broad Street, 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9911, FAX (804) 662-9313, (804) 662-7197/TTY , e-mail erussell@dhp.state.va.us.


Special Conference Committee

† **April 25, 2000 - 9 a.m.** -- Open Meeting
Department of Health Professions, 6606 West Broad Street,
5th Floor, Conference Room 3, Richmond, Virginia. 


Special Conference Committee to hear informal conference(s). Public comment will not be received.

Contact: Elizabeth Scott Russell, Executive Director, Board of Pharmacy, Southern States Building, 6606 West Broad Street, 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9911, FAX (804) 662-9313, (804) 662-7197/TTY , e-mail erussell@dhp.state.va.us.

BOARD FOR PROFESSIONAL AND OCCUPATIONAL REGULATION

March 27, 2000 - 10 a.m. -- Open Meeting
Department of Professional and Occupational Regulation,
3600 West Broad Street, Richmond, Virginia. 


A general business meeting. Persons desiring to participate in the meeting and requiring special accommodations or interpreter services should contact the department at least two weeks in advance of the meeting. The department fully complies with the Americans with Disabilities Act.


Contact: Debra L. Vought, Agency Management Analyst, Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, VA 23230, telephone (804) 367-8519 or (804) 367-9753/TTY 

BOARD OF PSYCHOLOGY


† **April 7, 2000 - 10 a.m.** -- Open Meeting
Department of Health Professions, 6606 West Broad Street,
5th Floor, Conference Room 4, Richmond, Virginia.


The Regulatory Committee will review a preliminary notice of intended regulatory action regarding establishment of a temporary license for residents, consider other states' licensure requirements in the interest of establishing reciprocity agreements, and discuss continuing education requirements for licensed psychologists.

Contact: Evelyn B. Brown, Executive Director, Board of Psychology, Southern States Building, 6606 West Broad Street, 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9913, FAX (804) 662-9943, (804) 662-7197/TTY , e-mail ebrown@dhp.state.va.us.


† **April 7, 2000 - 12:30 p.m.** -- Open Meeting
Department of Health Professions, 6606 West Broad Street,
5th Floor, Conference Room 4, Richmond, Virginia. 

A regular business meeting. Reports of standing committees will be heard. The board will adopt a preliminary notice of intended regulatory action to establish temporary licensure for residents. The board will review a draft newsletter. Meeting dates will be established through July 2001.

Contact: Evelyn B. Brown, Executive Director, Board of Psychology, Southern States Building, 6606 West Broad Street, 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9913, FAX (804) 662-9943, (804) 662-7197/TTY , e-mail ebrown@dhp.state.va.us.

† **April 11, 2000 - 9 a.m.** -- Open Meeting
Department of Health Professions, 6606 West Broad Street,
5th Floor, Board Room 1, Richmond, Virginia. 

A formal administrative hearing to hear possible violations of Board of Psychology regulations and statutes. No public comment will be heard.

Contact: Arnice Covington, Administrative Assistant, Board of Psychology, 6606 West Broad Street, 4th Floor, Richmond, Virginia, telephone (804) 662-9913, FAX (804) 662-9943, (804) 662-7197/TTY , e-mail acovington@dhp.state.va.us.

Calendar of Events

REAL ESTATE APPRAISER BOARD

April 11, 2000 - 10 a.m. -- Open Meeting
Department of Professional and Occupational Regulation,
3600 West Broad Street, Richmond, Virginia.

A general business meeting.

Contact: Karen W. O'Neal, Assistant Administrator, Real Estate Appraiser Board, 3600 West Broad Street, Richmond, VA 23230, telephone (804) 367-8552 or FAX (804) 367-2475.

REAL ESTATE BOARD

† April 12, 2000 - 4 p.m. -- Open Meeting
Department of Professional and Occupational Regulation,
3600 West Broad Street, Richmond, Virginia.

A general meeting of the Real Estate Education Committee.

Contact: Karen W. O'Neal, Assistant Director, Real Estate Board, 3600 West Broad Street, Richmond, VA 23230, telephone (804) 367-8552 or FAX (804) 367-2475.

† April 13, 2000 - 8:30 a.m. -- Open Meeting
Department of Professional and Occupational Regulation,
3600 West Broad Street, Richmond, Virginia.

A general meeting of the Fair Housing Committee.


Contact: Karen W. O'Neal, Assistant Director, Real Estate Board, 3600 West Broad Street, Richmond, VA 23230, telephone (804) 367-8552 or FAX (804) 367-2475.

† April 13, 2000 - 9 a.m. -- Open Meeting
Department of Professional and Occupational Regulation,
3600 West Broad Street, Richmond, Virginia.

A general meeting.

Contact: Karen W. O'Neal, Assistant Director, Real Estate Board, 3600 West Broad Street, Richmond, VA 23230, telephone (804) 367-8552, FAX (804) 367-2475.

REFORESTATION OF TIMBERLANDS BOARD

† April 5, 2000 - 10 a.m. -- Open Meeting
Department of Forestry Central Office, 900 Natural Resources Drive, Suite 800, Charlottesville, Virginia. 

A meeting to review forestry-related legislation debated in the current session of the General Assembly; discuss the merits of requiring release of pine plantation initially cost-shared under the RT program; and review program status and accomplishments.

Contact: Phil T. Grimm, Staff Forester, Department of Forestry, 900 Natural Resources Drive, Suite 800, Charlottesville, VA 22903, telephone (804) 977-6555, FAX (804) 296-2369 or e-mail grimmph@dof.state.va.us.


VIRGINIA RESOURCES AUTHORITY


April 11, 2000 - 9 a.m. -- Open Meeting
Virginia Resources Authority, 707 East Main Street, 2nd Floor Conference Room, Richmond, Virginia.

A meeting to approve minutes of the prior meeting, to review the authority's operations for the prior month, and to consider other matters and take other actions as the authority may deem appropriate. The planned agenda of the meeting will be available at the offices of the authority one week prior to the date of the meeting. Public comments will be received at the beginning of the meeting.


Contact: Benjamin M. Hoyle, Executive Assistant, Virginia Resources Authority, 707 East Main Street, Suite 1350, Richmond, VA 23219, telephone (804) 644-3100 or FAX (804) 644-3109.

DEPARTMENT FOR RIGHTS OF VIRGINIANS WITH DISABILITIES


† April 4, 2000 - 5 p.m. -- Public Hearing
J. Sargeant Reynolds Community College, Corporate Center, 1630 East Parham Road, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

† April 13, 2000 - 5 p.m. -- Public Hearing
Virginia Western Community College, Student Center, 3095 Colonial Avenue, SW, Roanoke, Virginia.  (Interpreter for the deaf provided upon request)

A public hearing to obtain input for establishing annual program priorities for fiscal year 2001.

Contact: Susan Jones, Program Operations Coordinator, Department for Rights of Virginians with Disabilities, 202 North Ninth Street, 9th Floor, Richmond, VA 23219, telephone (804) 225-2042, FAX (804) 225-3221, toll-free 1-800-552-3962, (804) 225-2042/TTY , e-mail onessm@drvd.state.va.us.


SEWAGE HANDLING AND DISPOSAL APPEAL REVIEW BOARD

April 12, 2000 - 10 a.m. -- Open Meeting
Henrico County Human Resource Building, 8600 Dixon Powers Road, Board Room, Richmond, Virginia. 

A meeting to hear appeals of health department denials of septic tank permits.

Contact: Susan C. Sherertz, Board Secretary, Sewage Handling and Disposal Appeal Review Board, 1500 East Main Street, Room 115, Richmond, VA 23219, telephone (804) 371-4236 or FAX (804) 225-4003.

VIRGINIA SMALL BUSINESS FINANCING AUTHORITY

† **March 28, 2000 - 10 a.m.** -- Open Meeting
Department of Business Assistance, 707 East Main Street,
3rd Floor, Board Room, Richmond, Virginia. 

A meeting of the Board of Directors to (i) review applications for loans submitted to the authority for approval and (ii) conduct general business of the board. Time is subject to change depending upon the agenda of the board.

Contact: Cathleen M. Surface, Executive Director, Department of Business Assistance, P.O. Box 446, Richmond, VA 23218-0446, telephone (804) 371-8254, FAX (804) 225-3384, e-mail csurface@dba.state.va.us.


STATE BOARD OF SOCIAL SERVICES


April 18, 2000 - 2 p.m. -- Open Meeting
Holiday Inn-Fair Oaks, 11787 Lee Jackson Memorial Highway, Fairfax, Virginia. 

A work session of the Welfare Reform Subcommittee.

Contact: Pat Rengnerth, State Board Liaison, State Board of Social Services, 730 East Broad Street, Room 828, Richmond, VA 23219-1849, telephone (804) 692-1826, FAX (804) 692-1962 or toll-free (800) 552-3431.

NOTE: CHANGE IN MEETING LOCATION

April 19, 2000 - 9 a.m. -- Open Meeting
Fairfax County Government Center, 12011 Government Center Parkway, Conference Room 910, Fairfax, Virginia. 


April 20, 2000 - 9 a.m. -- Open Meeting
Fairfax County Government Center, 12011 Government Center Parkway, Conference Room 120 C, Fairfax, Virginia. 

A work session and formal business meeting of the board. Public comments will be received at 1:30 p.m. on April 19.

Contact: Pat Rengnerth, State Board Liaison, State Board of Social Services, 730 East Broad Street, Richmond, VA 23219-1849, telephone (804) 692-1826, FAX (804) 692-1962 or toll-free (800) 552-3431.

DEPARTMENT OF TECHNOLOGY PLANNING

Land Records Management Task Force

March 28, 2000 - 1:30 p.m. -- Open Meeting
Department of Technology Planning, 110 South 7th Street,
3rd Floor Conference Room, Richmond, Virginia. 

A regular business meeting.

Contact: Diane Wresinski, Policy and Planning Specialist, Department of Technology Planning, 110 South 7th Street, Suite 135, Richmond, VA 23219, telephone (804) 371-2750, e-mail dwresinski@ntp.state.va.us.


VIRGINIA TOURISM CORPORATION

† **April 12, 2000 - 9 a.m.** -- Open Meeting
Jamestown Settlement, Education Center, Jamestown Virginia. 

A meeting of the Board of Directors.


Contact: Winston Evans, Administrative Assistant, Virginia Tourism Corporation, 901 East Byrd Street, 19th Floor, Richmond, VA 23219, telephone (804) 371-8174, FAX (804) 786-1919.

COMMONWEALTH TRANSPORTATION BOARD

† **April 19, 2000 - 2 p.m.** -- Open Meeting
Department of Transportation, 1401 East Broad Street, Board Room, Richmond, Virginia. 

Work session of the Commonwealth Transportation Board and the Department of Transportation

Contact: Cathy M. Ghidotti, Assistant Secretary to the Board, Department of Transportation, 1401 East Broad Street, Richmond, VA 23219, telephone (804) 786-6675, FAX (804) 786-6683, e-mail ghidotti_cm@vdot.state.va.us.


† **April 20, 2000 - 10 a.m.** -- Open Meeting
Department of Transportation, 1401 East Broad Street, Board Room, Richmond, Virginia. 

Monthly meeting of the board to vote on proposals presented regarding bids, permits, additions and deletions to the highway system, and any other matters requiring board approval. Public comment will be received at the outset of the meeting on items on the meeting agenda for which the opportunity for public comment has not been afforded the public in another forum. Remarks will be limited to five minutes. Large groups are asked to select one individual to speak for the group. The board reserves the right to amend these conditions. Separate committee meetings may be held on call of the chairman. Contact VDOT public affairs at 804-786-2715 for schedule.

Contact: Cathy M. Ghidotti, Assistant Secretary to the Board, Department of Transportation, 1401 East Broad Street, Richmond, VA 23219, telephone (804) 786-6675, FAX (804) 786-6683, e-mail ghidotti_cm@vdot.state.va.us.

DEPARTMENT OF THE TREASURY

Virginia College Building Authority

† **April 14, 2000 - 2 p.m.** -- Open Meeting
Department of the Treasury, 101 North 14th Street, 3rd Floor, Treasury Board Room, Richmond, Virginia. 


Spring Bond Sale (Equipment and 21st Century).

Contact: Darnell McGhee, Administrative Assistant, Department of the Treasury, 101 North 14th Street, 3rd Floor,

Calendar of Events

Richmond, VA 23219, telephone (804) 225-4927, FAX (804) 225-3187, e-mail darnell.mcgee@trs.state.va.us.

Virginia Public Building Authority

† **April 4, 2000 - 2 p.m.** -- Open Meeting
Department of the Treasury, 101 North 14th Street, 3rd Floor,
Treasury Board Room, Richmond, Virginia. 


A meeting to review the results of the sale of the VPBA Public Facilities Revenue Bonds and to approve issuance of VPBA Public Finances Revenue Bonds.

Contact: Darnell McGhee, Administrative Assistant, Department of the Treasury, 101 North 14th Street, 3rd Floor, Richmond, VA 23219, telephone (804) 225-4927, FAX (804) 225-3187, e-mail darnell.mcgee@trs.state.va.us.

VIRGINIA VETERANS CARE CENTER

† **March 31, 2000 - 1 p.m.** -- Open Meeting
Virginia Veterans Care Center, 4550 Shenandoah Avenue, Roanoke, Virginia.

A quarterly meeting of the Board of Trustees to review the operations of the center.

Contact: Duane A. Kavka, Executive Director, Virginia Veterans Care Center, P.O. Box 6334, Roanoke, VA 24017, telephone (540) 857-6974, FAX (540) 342-8810, toll-free 1-800-220-VETS(8387), (540) 857-6954/TTY , e-mail proffikc@dvh.state.va.us.


VIRGINIA INFORMATION PROVIDERS NETWORK AUTHORITY

† **March 30, 2000 - 1 p.m.** -- Open Meeting
Department of Motor Vehicles, 2300 West Broad Street, Room 702, Richmond, Virginia.

Full authority board meeting.


Contact: Conor Powell, Virginia Information Providers Network Authority, 110 South 7th Street, Suite 135, Richmond, VA 23219, telephone (804) 786-4583, e-mail cpowell@vipnetboard.state.va.us.

BOARD FOR THE VISUALLY HANDICAPPED

April 18, 2000 - 1 p.m. -- Open Meeting
Department for the Visually Handicapped, 397 Azalea Avenue, Richmond, Virginia.  (Interpreter for the deaf provided upon request)


A regular meeting to receive information regarding department activities and operations, review expenditures from the board's endowment fund, and discuss other issues raised for board members.

Contact: Katherine C. Proffitt, Administrative Staff Assistant, Department for the Visually Handicapped, 397 Azalea


Avenue, Richmond, VA 23227, telephone (804) 371-3145, FAX (804) 371-3157, toll-free (800) 622-2155, (804) 371-3140/TTY , e-mail proffikc@dvh.state.va.us.

DEPARTMENT FOR THE VISUALLY HANDICAPPED


Statewide Rehabilitation Council for the Blind

† **June 10, 2000 - 10 a.m.** -- Open Meeting
Department for the Visually Handicapped, 397 Azalea Avenue, Richmond, Virginia.  (Interpreter for the deaf provided upon request)


A regular quarterly meeting to advise the department on matters related to vocational rehabilitation services for the blind and visually impaired citizens of the Commonwealth.

Contact: James G. Taylor, VR Program Director, Department for the Visually Handicapped, 397 Azalea Avenue, Richmond, VA 23227, telephone (804) 371-3111, FAX (804) 371-3351, toll-free (800) 622-2155, (804) 371-3140/TTY 

BOARD FOR WASTE MANAGEMENT FACILITY OPERATORS

March 31, 2000 - 10 a.m. -- Open Meeting
Department of Professional and Occupational Regulation, 3600 West Broad Street, Conference Room 5 W, Richmond, Virginia. 

A meeting to conduct routine business. A public comment period will be held at the beginning of the meeting.

Contact: David E. Dick, Assistant Director, Department of Professional and Occupational Regulation, 3600 West Broad St, Richmond, VA 23230, telephone (804) 367-8505, FAX (804) 367-2475, (804) 367-9753/TTY , e-mail wastemg@dpor.state.va.us.


STATE WATER CONTROL BOARD

March 29, 2000 - 10 a.m. -- Open Meeting
General Assembly Building, 9th and Broad Streets, House Room C, Richmond, Virginia.

A regular meeting.

Contact: Cindy Berndt, Regulatory Coordinator, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4378, FAX (804) 698-4346, e-mail cberndt@deq.state.va.us.

VIRGINIA WORKFORCE COUNCIL

† **March 27, 2000 - 10 a.m.** -- Open Meeting
Virginia Employment Commission, Central Office, 703 East Main Street, Room 303, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

A meeting of the Workforce Investment Act and Coordinated Planning Committee to consider the Local Workforce Investment Board Staffing and Service Restriction policy and the Workforce Investment Act Unified State Plan.

Contact: Gail Robinson, Virginia Workforce Council Liaison, Virginia Employment Commission, P.O. Box 1358, Richmond, VA 23218-1358, telephone (804) 225-3070, FAX (804) 786-5891 or (804) 371-8050/TTY ☎

† **March 28, 2000 - 10 a.m.** -- Open Meeting
Virginia Employment Commission, Central Office, 703 East Main Street, Room 303, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A meeting of the Existing Workforce and the Hard-to-Employ Committee to continue deliberations on the Workforce Investment Act 30% discretionary formula for local youth and adult funds.

Contact: Gail Robinson, Virginia Workforce Council Liaison, Virginia Employment Commission, P.O. Box 1358, Richmond, VA 23218-1358, telephone (804) 225-3070, FAX (804) 786-5891 or (804) 371-8050/TTY ☎

March 29, 2000 - 10:30 a.m. -- Open Meeting
Virginia Employment Commission, Central Office, 703 East Main Street, Conference Room 303, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A meeting of the Emerging Workforce Committee to consider a "youth vision" within the context of the council's vision statement and to explore issues related to incumbent workers and youth program design/guidelines for the Workforce Investment Act.

Contact: Gail Robinson, Virginia Workforce Council Liaison, Virginia Employment Commission, P.O. Box 1358, Richmond, VA 23218-1358, telephone (804) 225-3070, FAX (804) 786-5891 or (804) 371-8050/TTY ☎

- Land Records Management Task Force
- † Workforce Council, Virginia
- Existing Workforce and the Hard-to-Employ Committee

March 29

- At-Risk Youth and Their Families, Comprehensive Services for
 - State Executive Council
- † Conservation and Recreation, Department of
 - Board on Conservation and Development of Public Beaches
- † Funeral Directors and Embalmers, Board of
 - Special Conference Committee
- Medicine, Board of
 - Informal Conference Committee
- † Nursing, Board of
 - Special Conference Committee
- † Nursing and Medicine, Committee of the Joint Boards of
 - Outdoors Foundation, Virginia
 - Board of Trustees
 - Water Control Board, State
 - Workforce Council, Virginia
 - Emerging Workforce Committee

March 30

- Air Pollution Control Board, State
- Environmental Quality, Department of
- † Virginia Information Providers Network Authority

March 31

- † Agriculture and Consumer Services, Board of
 - Virginia Dark-Fired Tobacco Board
- Medicine, Board of
 - Informal Conference Committee
- † Veterans Care Center, Virginia
 - Board of Trustees
- Waste Management Facility Operators, Board for

April 3

- Medical Assistance Services, Department of
 - Medicaid Pharmacy Liaison Committee

April 4

- Hearing Aid Specialists, Board for
- † Hopewell Industrial Safety Council
- † Museum of Fine Arts, Virginia
 - Executive Committee
- Nursing, Board of
 - Special Conference Committee
- † Treasury, Department of the
 - Virginia Public Building Authority

April 5

- Independent Living Council, Statewide
- † Pharmacy, Board of
- † Reforestation of Timberlands Board

April 6

- † At-Risk Youth and Their Families, Comprehensive Services for
 - State Management Team
- Conservation and Recreation, Department of
 - Falls of the James Scenic River Advisory Board

CHRONOLOGICAL LIST

OPEN MEETINGS

March 27

- Agricultural Council, Virginia
- Alcoholic Beverage Control Board
- Professional and Occupational Regulation, Board for
- † Workforce Council, Virginia
 - Workforce Investment Act and Coordinated Planning Committee

March 28

- Agricultural Council, Virginia
- Chesapeake Bay Local Assistance Board
 - Grants Committee
- Compensation Board
- Environmental Quality, Department of
- Marine Resources Commission
- † Small Business Financing Authority, Virginia
- Technology Planning, Department of

Calendar of Events

- † Medicine, Board of
 - Informal Conference Committee
- Nursing, Board of
 - Special Conference Committee

April 7

- Medicine, Board of
 - Executive Committee
- † Psychology, Board of
 - Regulatory Committee

April 8

- Health Professions, Department of
 - Health Practitioners' Intervention Program Committee

April 10

- Alcoholic Beverage Control Board
- Chesapeake Bay Local Assistance Board

April 11

- † Auctioneers Board
- † Contractors, Board for
 - Tradesman Committee
- Higher Education for Virginia, State Council of
- Nursing, Board of
 - Special Conference Committee
- † Pharmacy, Board of
- † Psychology, Board of
- Real Estate Appraiser Board
- Resources Authority, Virginia
 - Board of Directors

April 12

- † Environmental Quality, Department of
- † Motor Vehicles, Department of
 - Medical Advisory Board
- † Pharmacy, Board of
- † Real Estate Board
 - Real Estate Education Committee
- Sewage Handling and Disposal Appeal Review Board
- † Tourism Corporation, Virginia
 - Board of Directors

April 13

- † Agriculture and Consumer Services, Board of
 - Pesticide Control Board
- † Environmental Quality, Department of
 - Technical Advisory Committee
- Longwood College
 - Executive Committee of the Board of Visitors
- Nursing, Board of
 - Special Conference Committee
- † Real Estate Board
 - Fair Housing Committee

April 14

- † Compensation Board
- † Environmental Quality, Department of
 - Technical Advisory Committee
- Optometry, Board of
 - Informal Conference Committee
- † Treasury, Department of the
 - Virginia College Building Authority

April 17

- Agriculture and Consumer Services, Department of
 - Virginia Horse Industry Board
- Design-Build/Construction Management Review Board
- Nursing, Board of
 - Special Conference Committee

April 18

- Higher Education for Virginia, State Council of
- Social Services, State Board of
- Visually Handicapped, Board for the

April 19

- Accountancy, Board of
- † Aging, Commonwealth Council on
 - Public Relations Committee
- † Cemetery Board
 - Recovery Fund Committee
- † Labor and Industry, Department of
 - Migrant and Seasonal Farmworkers Board
- Social Services, State Board of
- † Transportation Board, Commonwealth

April 20

- † Geology, Board for
- † Medicine, Board of
 - Formal Administrative Committee
- Social Services, State Board of
- † Transportation Board, Commonwealth

April 24

- Alcoholic Beverage Control Board

April 25

- † Compensation Board
- † Marine Resources Commission
- † Pharmacy, Board of
 - Special Conference Committee

April 26

- At-Risk Youth and Their Families, Comprehensive Services for
 - State Executive Council
- Education, Board of
- Nursing, Board of
 - Special Conference Committee

April 27

- Education, Board of
- † Medicine, Board of
 - Informal Conference Committee

April 28

- Education, Board of

May 2

- † Hopewell Industrial Safety Council

May 3

- † Optometry, Board of

May 4

- Conservation and Recreation, Department of
 - Falls of the James Scenic River Advisory Board

May 8

- Alcoholic Beverage Control Board

May 10

Medicine, Board of
- Advisory Committee on Acupuncture
- Advisory Committee on Radiological Technology

May 11

Medical Assistance Services, Department of
- Drug Utilization Review Board
Medicine, Board of
- Advisory Board on Occupational Therapy
- Advisory Board on Respiratory Care

May 12

Medicine, Board of
- Advisory Board on Physical Therapy
- Advisory Committee on Physician Assistants

May 13

Military Institute, Virginia

May 15

Design-Build/Construction Management Review Board
Nursing, Board of

May 17

Nursing, Board of

May 18

Nursing, Board of

May 22

Alcoholic Beverage Control Board

May 23

† Marine Resources Commission

May 25

Education, Board of

May 26

† Education, Board of
Medicine, Board of
- Legislative Committee

May 31

† At-Risk Youth and Their Families, Comprehensive
Services for
- State Executive Council
† People with Disabilities, Virginia Board for

June 1

† People with Disabilities, Virginia Board for

June 6

† Hopewell Industrial Safety Council

June 10

† Visually Handicapped, Department for the
- Statewide Rehabilitation Council for the Blind

June 27

† Marine Resources Commission

March 28

Game and Inland Fisheries, Department of

March 29

Air Pollution Control Board, State

April 3

Education, Board of

April 4

† Rights of Virginians with Disabilities, Department for

April 13

† Rights of Virginians with Disabilities, Department for

PUBLIC HEARINGS

March 27

Game and Inland Fisheries, Department of
